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Tuesday, 16 December 2008, 3 p.m.
New York

President:	Mr. Sanader	(Croatia)
Members:	Belgium	Mr. Grauls
	Burkina Faso	Mr. Kafando
	China	Mr. He Yafei
	Costa Rica	Mr. Urbina
	France	Mr. Ripert
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	Russian Federation	Mr. Lavrov
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Mr. Miliband
	United States of America	Ms. Rice
	Viet Nam	Mr. Hoang Chi Trung

Agenda

The situation in Somalia

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08-65219 (E)

The meeting was called to order at 3.20 p.m.

Expression of welcome to ministers

The President: At the outset of the meeting, I should like to acknowledge and welcome the presence in the Council Chamber of the Secretary of State of the United States of America, Her Excellency Ms. Condoleezza Rice; the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, His Excellency the Right Honourable Mr. David Miliband, MP; the Minister for Foreign Affairs of the Russian Federation, His Excellency Mr. Sergey Lavrov; and the Vice Minister for Foreign Affairs of China, His Excellency Mr. He Yafei.

Adoption of the agenda

The agenda was adopted.

The situation in Somalia

The President: I should like to inform the Council that I have received letters from the representatives of Denmark, Egypt, Germany, Greece, India, Japan, Liberia, Norway, Somalia, Spain, Sweden, Turkey and Yemen, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Jengeli (Somalia) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: On behalf of the Council, I extend a warm welcome to His Excellency Mr. Ali Ahmed Jama Jengeli, Minister for Foreign Affairs and International Cooperation of the Transitional Federal Government of Somalia.

I should like to inform the Council that I have received a letter dated 12 December 2008 from the Chargé d'affaires ad interim of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations, in which he requests that the Permanent Observer for the League of Arab States to the United Nations, His Excellency Mr. Yahya Mahmassani, be invited to participate in the consideration of the item in accordance with rule 39 of the Council's provisional rules of procedure.

If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Mahmassani.

There being no objection, it is so decided.

I invite Mr. Mahmassani to take the seat reserved for him at the side of the Council Chamber.

I should like to inform the Council that I have received a letter dated 15 December 2008 from the Permanent Representative of South Africa, in which he requests that the Commissioner for Peace and Security of the African Union Commission, His Excellency Mr. Ramtane Lamamra, be invited to participate in the consideration of the item in accordance with rule 39 of the Council's provisional rules of procedure.

If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lamamra.

There being no objection, it is so decided.

I invite Mr. Lamamra to take the seat reserved for him at the side of the Council Chamber.

I welcome the presence of the Secretary-General, His Excellency Mr. Ban Ki-moon.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2008/789, which contains the text of a draft resolution submitted by Belgium, France, Greece, Liberia, the Republic of Korea, Spain and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall now put the draft resolution to the vote.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Belgium, Burkina Faso, China, Costa Rica, Croatia, France, Indonesia, Italy, Libyan Arab Jamahiriya, Panama, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1851 (2008).

I shall now give the floor to those members of the Council who wish to make statements following the voting.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): In this twenty-first century, the international community finds itself obliged to take up new challenges and to deal with old ones, such as piracy. Judging by all accounts, the pirates of the twenty-first century are well organized and equipped. Their actions are increasingly bold and their demands outrageous. There are almost daily reports of new ships being seized. Piracy and armed robbery off the coast of Somalia is a serious threat to the life of seafarers and ship passengers and detrimental to the security of shipping. It makes it difficult to provide international humanitarian aid to Somalia and leads to serious economic losses for many States.

All that demands that we, members of the international community, act resolutely. The problem has recently been the focus of attention in the Council, which has already done a fair amount in that direction. In addition to the United Nations Convention on the Law of the Sea and other international legal instruments, there are resolutions that provide a legislative basis for action to ensure the security of shipping in the region and send a strong signal to Members of the United Nations regarding the need to become actively involved in solving that very complex problem. It is important that the new Council resolution be based on current international law and not be designed to change it.

For Russia, as a maritime Power, safe shipping is of priority importance. Our citizens have already suffered from piracy. In October 2008, the Russian Navy became involved in international efforts to combat piracy off the coast of Somalia under resolution 1816 (2008), acting together with the military vessels of other States. Over 30 Russian and foreign ships have been escorted safely through the most dangerous part of the area and several pirate attacks thwarted. Our escort ship *Nyeustrashimy* will soon be leaving the region, but our presence will be ensured by other Russian naval ships, which will, of course, continue working with partners to combat piracy.

We welcome the fact that, in response to the appeal of the Council to unite efforts to combat piracy, a large number of States and organizations have responded. We would highlight the active position of countries in the region and the European Union. Much work is being undertaken by the International Maritime Organization, whose expert and intellectual potential will be increasingly in demand. We support the proposals to establish some machinery to coordinate the actions of the international community to end the threat of piracy, as reflected in the resolution that we have just adopted.

Unfortunately, in most cases so far the pirates have gone unpunished. To a significant extent, this is the result of the inadequate development of legal and practical procedures for holding the pirates to account. We call for a more active use of international legal instruments to ensure the security of shipping and for further improvement to legal regulations in this area, taking into account, of course, the specifics of each situation.

The new resolution we adopted today is an important decision, reached at the request of the Transitional Federal Government of Somalia, whose representative is here with us today. But we should not forget that piracy and armed robbery at sea is just the tip of the iceberg of the problems facing Somalia today. The problem is hardly likely to be resolved by force alone. We have to work actively to achieve social, economic and political stabilization in Somalia, so as to undermine the material base of the pirates.

This is referred to specifically in resolution 1838 (2008), which states that peace and stability, the strengthening of State institutions, economic and social development, respect for human rights and the rule of law are all essential to establishing the conditions to completely eliminate piracy and armed robbery in the coastal waters off the coast of Somalia. It is also clear that a long-term solution is possible only if there is a

comprehensive political settlement in Somalia, with assistance from the African Union, the United Nations and the international community as a whole. We expect that the resolution we have just adopted will help, in practical terms, to that end.

Mr. Miliband (United Kingdom): I would like to start by setting out an explanation of vote in relation to the resolution we have just passed before moving on to my broader statement.

The United Kingdom has voted in favour of the resolution adopted because we support robust action to address the serious threat to international navigation, including deliveries of humanitarian aid to the people of Somalia, posed by piracy and armed robbery off the coast of Somalia.

The authorization conferred by paragraph 6 of the resolution to permit States cooperating with the Transitional Federal Government to use "all necessary measures that are appropriate in Somalia, for the purpose of suppressing acts of piracy" enables States and regional organizations, with the consent of the Transitional Federal Government, to act, using force if necessary, against pirate activities on land in Somalia. This is an important additional tool to combat those who plan, facilitate or undertake acts of piracy from the territory of Somalia.

The United Kingdom considers that any use of force must be both necessary and proportionate. These concepts include an assessment that the measures taken must be appropriate to the circumstances to which they are directed.

That concludes my explanation of vote, and I would like to now make a statement on the wider issue of piracy and related issues.

I am obviously grateful to our colleague, Ms. Rice, for her initiative in taking this resolution through and for securing unanimous support for it. I think this is an important opportunity to discuss both the narrow issue of piracy and the wider situation in Somalia. I will try to do so briefly.

The seas off Somalia are a key economic artery for global trade and for many nations represented here. But they are also essential to the delivery of essential humanitarian supplies to the people of Somalia. The United Kingdom and many others are working to address the issue of piracy at sea, with the European Union, NATO and Combined Task Force 150 all playing their role in seeking to escort World Food Programme vessels, deterring pirate activity and, where possible, disrupting attacks. Others are contributing naval assets to undertake similar tasks. The cooperation at the military level amongst those contributors is demonstrating how we can work together on this difficult issue.

However, it is important that we work not just on the military front, but with the shipping industry, either on a Government-to-industry basis or through the International Maritime Organization. To support these efforts, I welcome the practical measures that we have agreed in the resolution today.

However, as my Russian colleague has intimated, we cannot look at the issue of piracy through the prism of international trade or shipping alone. In Somalia itself, as people understand from watching television or reading the newspapers today, the political, humanitarian and security situations carry real risks. The Djibouti process has, for many people, opened a potential new chapter for Somalia. It is a Somali-owned process and must remain so. But we have a responsibility, as members of the Security Council, to do what we can to support it. It will not succeed in isolation from the political process.

I hope that all those engaged in the negotiation can do what is necessary to turn it into practical reality. The clear and shared goal is to work for a credible commitment from the Transitional Federal Government, the Alliance for the Re-Liberation of Somalia and other political forces to re-energize the Djibouti political process with the aim of producing a more representative political system.

There are, however, two major areas of uncertainty that raise questions for the United Kingdom. One is about political uncertainty, the other is about uncertainty relating to the security situation.

With respect to the political uncertainty, there is a necessity for early concrete steps to deliver a viable way forward. Sheikh Sharif's recent visit to Mogadishu is an important example of this. We also need to see an orderly transition to the proper Government of national unity and the clear appointment of key cabinet figures. This will be vital if Somalis are to be effective in developing an indigenous security sector.

At the same time, it is clear that there are major questions relating to the security situation as well. I

look forward to learning in this debate of the views of a range of members here, including the Somali delegation, about their understanding of the intentions of Governments in the region, about the future of the African Union Mission in Somalia and about the security needs in Somalia. We understand that the history of intervention in Somalia is one that carries a great number of important lessons for all of us. We will be addressing these issues in a manner consistent with our own commitments, not just to the humanitarian situation, but also to the political support that is going to be necessary to take this forward.

Mr. He Yafei (China) (*spoke in Chinese*): China supports the holding of this high-level Security Council meeting on countering piracy off the coast of Somalia. This meeting and the resolution we just adopted fully demonstrate once again the commitment and confidence of the international community in coming together and fighting piracy. The signal sent by the Security Council is positive, right and timely.

Piracy off the coast of Somalia has become increasingly rampant, and it is now an international matter, posing a great threat to international navigation, maritime trade and security at sea. China is also one of its victims. So far, a total of six vessels registered in or rented by China have been hijacked in the waters off the coast of Somalia. One vessel and 17 Chinese nationals remain in captivity to this day. This has aroused utmost concern from the Chinese Government and the general public. The long-term delay in the settlement of the Somali issue is posing a serious threat to international peace and security, while the rampant piracy off the Somali coast has worsened the security situation in Somalia.

In fulfilling its primary responsibility of maintaining international peace and security, the Security Council has so far this year adopted three resolutions on this issue. China welcomes international cooperation in the fight against piracy off the coast of Somalia and supports the efforts of the countries concerned to send warships to the region to crack down on the pirates, pursuant to the relevant Security Council resolutions. China is seriously considering sending ships to the Gulf of Aden and the waters off the Somali coast for escorting operations in the near future.

To step up the fight against piracy off the Somali coast, the Chinese delegation would like to make the following proposals. First, we must give full play to the important role of the United Nations. Since fighting piracy in that region involves many different parties, the problem can only be resolved through concerted efforts by all the parties concerned. It is therefore crucial that the United Nations, and the Security Council in particular, carry out its core function of maintaining international peace and security and effectively coordinating the response and efforts of all the countries concerned.

Secondly, international law and Security Council resolutions must be strictly adhered to. That is an important prerequisite for extensive support from the people of Somalia and the rest of the international community for the relevant anti-piracy efforts. The international community should cooperate on the basis of the United Nations Convention on the Law of the Sea and Security Council resolutions. Any anti-piracy operation should be carried out in full compliance with the mandates established by Security Council resolutions, and in particular while fully respecting the sovereignty and territorial integrity of littoral countries and after having secured the prior consent of the Transitional Federal Government of Somalia.

Thirdly, there is a need to formulate an integrated strategy. Combating piracy off the coast of Somalia is a comprehensive and systematic undertaking, for it involves efforts in the political, military, economic, diplomatic and judicial spheres. Concerted efforts must be made on various tracks in order to achieve tangible results. In addition, priorities for different phases must be identified, and eventually redefined in the light of the evolving situation.

Fourthly, Somalia must be assisted in strengthening its own capacity-building and participating in regional cooperation. The Government and people of Somalia hold the key to resolving the issue of piracy. The international community should help the Somali Government to improve its capacity-building in various ways. Successful past practices have demonstrated that regional cooperation can play an important role in that regard. China welcomes the concerted efforts to be made by the littoral countries of the Red Sea, the Gulf of Aden and the western Indian Ocean to address the issue of piracy off the coast of Somalia through regional arrangements.

Piracy off the coast of Somalia is not an isolated phenomenon. The scourge of piracy is a mere symptom

of the profound political, economic, social and humanitarian crises confronting Somalia. The international community must take the fight against piracy seriously. More important, however, is to eradicate the root causes of piracy. We call on all parties concerned to further advance the political process and promote the implementation of the Djibouti Agreement in good faith.

The Security Council should heed the strong desire of the Somali Government and the African Union, strengthen the African Union Mission in Somalia and mandate the United Nations to take over peacekeeping operations in Somalia at an early date. In the meantime, the international community should work to prevent the humanitarian situation in Somalia from deteriorating further. It should also increase assistance to Somalia for infrastructure and development projects in order to help it to reinvigorate its productive capacity. China will continue to make its contribution in that regard.

Mr. Natalegawa (Indonesia): Before I make our general statement, allow me to present Indonesia's position on the resolution that the Council has just adopted. My delegation voted in favour of resolution 1851 (2008) as a reflection of its recognition of the gravity of the threat of piracy in the waters off Somalia. In doing so, however, we do not lose sight of the fact that, in the final analysis, the solution to that threat lies with Somalia itself. Thus we wish to underscore once again the need to promote conditions conducive to the promotion of the political process in that country.

In that connection, we would like to underline the need to ensure that the measures foreseen in paragraph 6 of the resolution do not inadvertently complicate the search for such a political solution to the crisis in Somalia. We also wish to underline the need to ensure that the measures foreseen in the same paragraph do not exacerbate the humanitarian situation in the country and are taken in full compliance with applicable international humanitarian and human rights law.

Furthermore, we wish to emphasize that there exists a range of measures to address the threat of piracy in Somalia. In other words, the resolution is not exclusively about the use of forcible measures. We wish to highlight in particular the importance of legal enforcement measures.

My delegation commends the recognition in t resolution of the need to promote coordination betwe States and regional organizations fighting the threat piracy in Somalia, as well as the recognition of t importance of building Somalia's national capacity deal with that menace.

My delegation wishes to underscore that, first a foremost, the measures contemplated under t resolution, as with other previous resolutions, st from the request of the State concerned, name Somalia.

Finally, our support for the resolution is based the fact that it is focused on Somalia and spells clearly that its provisions shall not affect the righ obligations or responsibilities of Member States un international law, including under the 1982 Uni Nations Convention on the Law of the Sea, and sh not be considered as establishing customa international law.

Mr. Hoang Chi Trung (Viet Nam): We too ha the honour to give an explanation of our vote. We ha voted in favour of the resolution on the basis of t request made to the Security Council by Somalia w respect to support for the countries of the region efforts to suppress piracy in the waters off the coast Somalia.

We wish to reaffirm that the resolution is aim at ensuring respect for the sovereignty, territor integrity, political independence and unity of Soma and promoting safe and uninterrupted mariti navigation in the area. The measures taken under t resolution must be consistent with releva international treaties and must not be considered establishing customary international law.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): M delegation would also like to express its reasons supporting the resolution that we have just adopted, we understand that acts of piracy and armed robbe off the coast and on the territory of Somalia requ real action on the part of the Security Council to h combat them. It is for the same reason that Costa R has supported previous resolutions adopted by t Council in the past six months on this matter, name resolutions 1816 (2008), 1838 (2008) and 1846 (200

My delegation believes that piracy and arm robbery off the coast and on the territory of Soma are consequences of the crisis being experienced

that country. However, they are not the primary cause of the problem. We believe that the Council should swiftly address the primary cause with the same speediness with which it addressed the consequences, in order to cooperate in helping the country achieve lasting peace and stability.

We also believe that any efforts that may be carried out to combat piracy and armed robbery off the coast and on the territory of Somalia must necessarily have the explicit consent of the Government of that country, which should always have the last word on matters that affect it directly. It is also crucial that we frame those efforts within international law and that we coordinate closely with the Government.

We would therefore have liked paragraph 6 of the resolution to include an explicit reference to international law, in order that the implementation of all the necessary measures called for by that paragraph always occurred within the context of international law, including international humanitarian law and human rights law. We disagree with those who understand that an explicit reference to international law is a way of limiting or eviscerating the operative part of the resolution. We believe that when the Security Council acts in conformity with the Charter, as in this instance, its resolutions not only have international legal grounding, but they are themselves international law.

Finally, my delegation calls on States to implement this and previous resolutions and, in their efforts to cooperate to combat piracy and armed robbery off the coast and on the territory of Somalia, adopt measures both in coordination with the Government of that country and in close adherence to the provisions of international law.

The President: I now give the floor to His Excellency Secretary-General Ban Ki-moon.

The Secretary-General: Today's meeting comes at a critical juncture in the continuing tragedy of Somalia. Ethiopia's statement to me in a letter of 25 November that it plans to withdraw its troops from Somalia by the end of this year is consistent with the Djibouti Agreement but could easily lead to chaos. In response to the risk of a deterioration in the security situation and concerns expressed by the African Union, this body and the African Union must work closely together to provide additional support to the African Union Mission to Somalia (AMISOM) to enhance its capacity to defend itself and to continue to hold the strategic areas in Mogadishu, while efforts to build Somali security structures under the Djibouti process continue. Prime Minister Meles has reiterated to the Ethiopian Parliament his intention to completely withdraw the troops in two weeks.

The African Union is scheduled to discuss the renewal of the AMISOM mandate at the ministerial meeting in Addis Ababa on 22 December. If they do not renew the mandate, the AMISOM forces are likely to depart before the Ethiopian forces are withdrawn. We are, however, encouraged by an indication given by both Burundi and Rwanda that they are prepared to deploy additional battle units to AMISOM if the essential resources are made available. All eyes are on the discussion in this Chamber to gauge the determination of the international community to respond to this danger. Our actions today will be critical to the African Union's decisions on Somalia next week.

I should now like to discuss briefly the latest political developments in Somalia. There is a credible political process underway in Somalia called the Djibouti process, which has been nurtured by my Special Representative Ahmedou Ould Abdallah. Somali parties agreed on 25 November to expand the Transitional Federal Parliament by 275 seats. The parties also agreed to extend the transitional period, which ends in September 2009, by two years. The enlarged Parliament is expected to elect new Somali leadership. They have also agreed to set up a joint force to form the backbone of a united security force.

The return of the leader of the Alliance for the Re-Liberation of Somalia, Sheikh Sharif, and 39 of his followers to Mogadishu from their two-year exile is a promising move. Reports indicate that they were warmly received by Somalis. This represents a first step in importing and entrenching the Djibouti peace process into Somalia. As we have said on numerous occasions, the responsibility to bring peace and stability to Somalia rests primarily with the Somalis themselves. However, continuing feuds within the Transitional Federal Government and the recent division between the President and the Prime Minister with regard to the former's duties can jeopardize the peace process and affect the functioning and stability of the Government. At the same time, I urge the armed groups in Somalia that have cited Ethiopia's withdrawal as a condition for ending the fighting now

to lay down their weapons and join the Djibouti process.

Humanitarian access remains severely restricted and the level of insecurity for humanitarian workers and the local civilian population is unacceptably high. During this year alone, an estimated 250,000 people were displaced from Mogadishu. The overall number of internally displaced persons stands at 1.3 million and an average of 5,000 Somali refugees arrive every month in the refugee camps in Kenya. The number of people in need of assistance and livelihood support in Somalia now stands at 3.2 million. The delivery of such assistance remains a logistical challenge, not least because of piracy, which has increased the cost of transporting supplies. I am deeply concerned about the direct targeting of aid workers and United Nations staff, which has led to the deaths of four United Nations staff members between September and December. The challenges are huge, but humanitarian agencies continue to deliver relief supplies, including in conflict areas. If the security situation deteriorates, access to humanitarian assistance will only get worse.

I have repeatedly stated that the most appropriate response to the complex security challenges in Somalia is a multinational force rather than a typical peacekeeping operation. Such a force should have the full military capabilities required to support the cessation of armed confrontation, to stabilize Mogadishu and to defend itself. I have approached 50 countries and three international organizations to request contributions to a multinational force. The response has not been encouraging. No Member State has offered to play the lead nation role. In the absence of adequate pledges for a multinational force, I intend to propose to the Council three concrete measures that would provide the necessary security arrangements in support of the Djibouti peace process. If successful, these would pave the way for the deployment of a United Nations peacekeeping operation, in keeping with Security Council resolution 1814 (2008).

First, we should provide the African Union with substantial and credible resources to reinforce AMISOM, including the means to deploy the additional battle units pledged by Rwanda and Burundi. I will also suggest that all resources pledged for a multinational force be redirected to AMISOM, if a multinational force does not materialize. Financing will be a major concern, and we will have to explore with Member States creative approaches to mobilize the funds needed. As we are liquidating the United Nations Mission in the Sudan, we have already identified assets that could be donated to AMISOM with the approval of the General Assembly.

Secondly, the Security Council should consider ways to build the capacity of the Somali parties themselves to restore security, import the Djibouti talks into Somalia and carry forward the peace process. This could include the provision of training through international partners for the joint Government-Alliance forces established by the Djibouti agreement, as well as capacity-building for the police, judicial and corrections sectors. Such efforts would be conducted under an overall security sector reform strategy, which could be nationally owned, with the United Nations assuming a coordinating role.

Finally, the Council could explore the possibility of establishing a maritime task force or adding to the current anti-piracy operations a peak reaction component. This would have the capability to launch operations into Somalia in support of the activities of the United Nations Political Office for Somalia and AMISOM operations. Our objective is to stabilize Somalia and find a durable solution to the crisis in that country. I recognize that some members of the Council have other suggestions for dealing with the security crisis in Somalia, including putting the AMISOM forces under a United Nations peacekeeping operation now. That is not our preferred option. We are of the view that strengthening AMISOM through, inter alia, the provision of financing, logistical support, necessary training and equipment and other reinforcements facilitated by the United Nations and Members States is a more realistic option at this time.

At the same time, we are continuing contingency planning for the deployment of a full-fledged United Nations peacekeeping operation at the appropriate time and under the right conditions, as requested by the Council. I will soon provide a detailed report to the Security Council, covering these proposals.

I share the deep concern of Member States at the escalation of acts of piracy and armed robbery off the coast of Somalia. I welcome the actions this Council has just taken to deal with the issue.

I am particularly impressed by the actions of Member States and international organizations to pool their efforts and resources to fight piracy and armed robbery at sea. I want to extend my thanks to the

European Union, NATO and individual Member States that have contributed in this regard.

The need to coordinate and fortify these efforts remains ongoing. My Special Representative for Somalia convened an international conference on piracy from 11 to 12 December to further discuss this issue. My Legal Adviser stands ready to assist States in trying to find a solution to the practical, legal and jurisdictional issues involved.

As requested by the Security Council in its resolution 1846 (2008) of 2 December, I will submit recommendations on ways to ensure the long-term security of international navigation off the coast of Somalia. In the interim, the Secretariat has designated a focal point in the Office of Military Affairs of the Department of Peacekeeping Operations for information-sharing on anti-piracy operations.

We must be mindful that piracy is a symptom of the state of anarchy which has persisted in Somalia for over 17 years. This lawlessness constitutes a serious threat to regional stability and to international peace and security. Our anti-piracy efforts must be appraised in the context of a comprehensive approach which fosters an inclusive peace process in Somalia and assists parties to rebuild security, governance capacity, address human rights issues and harness economic opportunities throughout the country.

I appeal to the leaders and people of Somalia to give peace a chance and to put the 17-year war behind them. I am particularly disturbed by the continuing disunity within the Government's leadership. Without an effective and unified Government to support, there is little that the United Nations and, indeed, the international community, can do in Somalia. I urge the country's leaders to put their differences aside and place the future of the Somali people first.

As the international community, today we must send a positive political signal to the Somali people and the African Union that we are willing to provide the security path that will complement the political compromises reached through the Djibouti process.

We must act before it is too late.

Ms. Rice (United States of America): I thank you very much, Mr. President, Mr. Secretary-General and all my colleagues for participating in this very important Security Council meeting on piracy.

Obviously, we are here because the outbreak of piracy and the increasing threat to commerce, security and, perhaps most importantly, to the principle of freedom of navigation of the seas, are issues that should concern every nation State and I do believe that the resolution we have adopted today will help us go a long way towards a coordinated response to the scourge of piracy.

We have noted that several factors have been limiting the effectiveness of our response, although a number of countries have been responding. The United States has been part of that response, as has the European Union, NATO and a number of other countries represented in this Chamber. However, because there has been no existing mechanism for States to coordinate their actions effectively, I believe that our response has been less than the sum of its parts.

I would like to announce that the United States intends to work with partners to create a contact group on Somali piracy. We envision the contact group serving as a mechanism to share intelligence, coordinate activities and reach out to other partners, including those in the shipping and insurance industries. We look forward to working quickly on this initiative.

A second factor limiting our response is the impunity that the pirates enjoy. Piracy currently pays, but worse, pirates pay few costs for their criminality. Their dens in Somalia provide refuge from the naval ships in the Gulf of Aden and, as we saw with the hijacking of the *Sirius Star*, 500 nautical miles from Mombasa, and with the recent, unsuccessful attacks even further south, off the Tanzanian coast, pirates are adapting to the naval presence in the Gulf of Aden by travelling farther to attack unsuspecting ships.

To make piracy costlier and more difficult to undertake, the United States, with the agreement of the Somali Transitional Federal Government (TFG) believes that the Security Council's authorization today, that States may pursue pirates into their place of operation on land, will have a significant impact. History has demonstrated again and again that maritime operations alone are insufficient to combating piracy.

We also have a problem concerning the steps that must be taken to facilitate the delivery, detention and prosecution of captured pirates. Through international

law, reflected in the United Nations Convention on the Law of the Sea, Security Council resolutions 1846 (2008) and 1816 (2008), and the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA), the international community already has sufficient legal authority and available mechanisms to apprehend and prosecute pirates, but sometimes the political will and the coordination have not been there to do so.

This problem of capacity is especially pronounced in the regional States. Their proximity to piracy makes them an obvious choice to site prosecutions, but many lack the necessary judicial and law enforcement capacities to do so. Thus, we call on all States, particularly those victimized by Somali piracy to contribute generously to building the legal capacity of regional signatories to the 1988 Convention States. In the resolution, we also ask the United Nations to explore what can be done to build legal capacities in those States.

At the same time, as we expect regional States to play a critical role, victim States also need to bear equal responsibility for prosecuting pirates. States that flagged hijacked vessels, whose nationals own hijacked vessels, or who have crew members on hijacked vessels must honour their obligations under the 1988 Convention in relation to receiving and prosecuting suspected pirates.

We must ask the maritime industry to promote capabilities to enhance ships' ability to defend themselves. Once a hostage situation develops, the stakes in military operations increase. Consequently, an important part of counter-piracy efforts must be measured in enhancing self-defence capabilities of commercial vessels, increasing the odds of success against pirates until war ships arrive.

Finally — and a number of colleagues have spoken to this — we must address the root cause of the piracy problem. Piracy is a symptom — a symptom of the instability, the poverty and the lawlessness that have plagued Somalia for the past two decades.

The Djibouti peace process has achieved some political headway in the past few months. I thank the Secretary-General for his excellent Special Representative, Ambassador Ould-Abdallah, but the deteriorating security and humanitarian situation on the ground is threatening that progress and threatening it every day. The international community must make it a priority to work with the TFG, both to stabilize its internal situation and to work with the Alliance for the Re-Liberation of Somalia as well as with the African Union Mission in Somalia (AMISOM), to help stabilize the country's security situation.

In this regard, allow me to note that the United States does believe that the time has come for the United Nations to consider and authorize the peacekeeping operation. This has been requested by the African Union, by countries that are bearing the brunt of the difficulty on the ground and while the conditions may not be auspicious for peacekeeping, they will be less so if chaos reigns in Somalia and we have to turn at some point to peacemaking.

Prevention is the issue here. The United States will do everything it can to continue the support of AMISOM; indeed, the United States provided $67 million for training and equipping AMISOM and deploying it last year. We will continue to do that, and we will buttress our support to AMISOM. But I am afraid that the history of support for forces of this kind is not a very good one. What happens is that we are not able to sustain the voluntary contributions and the voluntary training; we are not able to sustain the mechanisms to ensure that the work is flowing smoothly. That is why we have a peacekeeping operation in the United Nations, because it draws on the full resources of the Member States in a way that is not voluntary but that is compulsory, to do the work of this Council.

So the United States will be, with other States, continuing to raise, in consultations — not yet for consideration by the Council, but in consultations — the need for a peacekeeping force in accordance with the request of the African Union that we do so.

Let me just say finally that we believe that once peace and normalcy have returned to Somalia, Somalis can start down a path to real economic development. In the long run, offering the Somali people an alternative to piracy and criminality is the best sustainable strategy for combating piracy. As part of that strategy, the United States believes in working with the international community to help Somali fishermen prosper by preventing illegal fishing and dumping in Somali territorial waters.

With our meeting and resolution today, we have sent a strong signal of commitment to combat the scourge of piracy. This current response is a good start,

but we must do much more to defend the freedom of navigation and trade. The shipping industry will be an important partner in those efforts. But let us make no mistake; it is Governments that must lead. We need to coordinate our efforts through a common point of contact. We need to end the impunity of Somali pirates and to support regional States in building the capacity to prosecute them effectively, and we need to work to build security and stability in Somalia so that the Somali people can finally enjoy the blessings of peace and the rule of law and development.

Mr. Mantovani (Italy): While we thank the Secretary-General for being with us today, we also acknowledge your presence, Sir — the Prime Minister of Croatia; and the Secretary of State of the United States, Dr. Rice; Foreign Minister Miliband; Foreign Minister Lavrov; the Vice Minister for Foreign Affairs of China, and also, with particular satisfaction, the Foreign Minister of the Transitional Federal Government of Somalia and all of his delegation.

Italy has traditionally followed with deep concern the very difficult developments of the national reconciliation process in Somalia and the dire consequences of the crisis in both the humanitarian and security fields. We therefore fully appreciate this opportunity to discuss the situation in Somalia, which more and more urgently deserves the attention of the international community.

Italy is strongly committed to support the peace efforts led by the Special Representative of the Secretary-General, Mr. Ould Abdallah, as well as by the Intergovernmental Authority on Development (IGAD) aimed at finding an inclusive negotiated solution within the very sensitive regional context. In particular, Italy supports the political process opened by the Djibouti Agreement between the Transitional Federal Government and the opposition, represented by the Alliance for the Re-Liberation of Somalia. However, its pursuit requires an effective security framework. The announced withdrawal of the Ethiopian troops needs to be accompanied by immediate and strong support to the African Union Mission in Somalia (AMISOM) so as to avoid a dangerous security vacuum, thus contributing to the implementation of the Djibouti process.

Italy supports the idea of a United Nations rehatting of AMISOM as the only feasible option for a really concrete United Nations involvement on the ground, sustaining and integrating the already significant effort made by the African Union. We could not agree more with the remarks by Secretary of State Rice on the need for the international community and the United Nations to assume direct responsibility in the Somali crisis.

Italy of course strongly supports all international efforts to counter piracy, which certainly poses a major threat to the delivery of humanitarian aid and to the freedom of international navigation, as well as to the safety of commercial maritime routes. In that respect we are strongly committed to all multinational initiatives against piracy in the European Union, NATO, the International Maritime Organization and all the other relevant multilateral forums. We consider that the NATO naval mission in which we are presently taking part represents a major step forward in the fight against piracy and that the newly established European Union naval operation Atalanta will further strengthen our common endeavour.

Piracy off the Somali coast is clearly the result of the general political and security crisis in the country. For that reason, Italy is once more convinced that naval action against piracy should be complemented by a stabilization process on the ground, from both a political and a security viewpoint. Only through timely and concrete support to such processes can the United Nations meet its political and moral responsibilities in what should no longer be considered as a forgotten crisis.

Mr. Ripert (France) (*spoke in French*): I wish first to thank the Secretary-General for his statement and welcome the presence — in addition to yourself, Sir — the presence of a number of ministers, including the Minister for Foreign Affairs of Somalia. I wish to pay tribute to the commitment of Ms. Condi Rice, who took the initiative of requesting the Organization to convene this meeting. We welcome the adoption of resolution 1851 (2008).

The most recent reports available to us, from the United Nations and the International Maritime Organization, confirm that piracy attacks are becoming increasingly numerous and violent, and increasingly sophisticated. They represent today a major danger for the Somali people first, because of the roughly 3.5 million displaced persons and particularly because of all those who depend on international humanitarian food aid. The attacks also jeopardize international

maritime shipping along the Somali coast, which is one of the world's most dense shipping lanes.

The deep roots of that phenomenon, as has already been said, are to be sought on land, not in the sea. War, the absence of a State, the lack of legal economic outlets and the actions of criminal groups — these are the root causes. While the Somali crisis has gone on for 18 years now, it is only in the last two or three years that piracy has become a veritable criminal industry along the Somali coast. We are convinced that through determined action at sea it will be possible to end this vicious circle without waiting for all necessary conditions to be met in order to eliminate piracy completely and to thus permit at least the provision of food aid.

My delegation notes that for several months this year when the World Food Programme (WFP) did not have sufficient protection for its ships for Somalia, deliveries fell by 50 per cent, to the immediate detriment of the population. France and the European Union are acting. As the President of the Republic stated here in September 2007, France took the initiative to ensure the protection of maritime convoys of the WFP, which was later assumed by the Netherlands, Denmark and Canada.

The European Union decided on 10 November to deploy the first naval operation in its history to combat piracy along the Somali coast, using naval and aerial measures, in response to the Security Council's call in resolutions 1816 (2008) and 1838 (2008). That operation started on 8 December. It has a very clear European mandate that will enable it to guarantee protection for convoys under the WFP for one year and to provide decisive support to other vulnerable vessels.

A couple of weeks ago, resolution 1846 (2008) gave the international community what it required as a minimum — namely, a one-year extension of the authorization, with conditions, for entrance into Somali waters and to combat pirates. Over the past week we have worked assiduously to make further progress, particularly to encourage the establishment of an international coordination mechanism. It goes without saying that, given the immensity of the area to be covered, the European Union will not be working alone, but together with its major partners. NATO has been ensuring protection for facilities of the World Food Programme. Russia and India are also active in the area, and many other States have indicated their interest.

In nearly three months' time, we will consider a report of the Secretary-General on the role that the United Nations can play. France is convinced that the Secretariat can play a key role in continuing to mobilize the international community. In that regard, I welcome the Secretary-General's appointment of a unique liaison point within its teams. It is clear that we must all coordinate our efforts without delay by creating an appropriate mechanism, which will, of course, include the Secretariat.

Several speakers have referred to the fact that the international community, and the Council in particular, must become more actively involved in the Somali crisis itself. As recommended by the Special Representative, whose commitment I commend, the Security Council has equipped itself with individual sanctions measures to exert pressure on those who have been opposing the peace process. The Council has also indicated its readiness to support a multinational force that would, as requested by the signatories to the Djibouti Agreement, be deployed to Mogadishu.

My delegation is mindful of the fact that it has not been possible to constitute such a force. We also note that a conventional peacekeeping operation would not be realistic in Somalia today. There would have to be tens of thousands of troops equipped and trained in specific urban combat techniques, totally self-sustaining, with very heavy military equipment. Above all, however, the encouraging progress of the political process has not yet been concretely reflected on the ground, and thus security conditions have not improved today. Moreover, the situation is very fluid, and the announced withdrawal of Ethiopian troops is not only a destabilizing factor in terms of security, but also a political opportunity.

The Secretary-General just outlined several courses of action. He referred to decisive support for the African Union Mission in Somalia (AMISOM) — financial, logistical and political support to ensure its increased reinforcement. France, which has supported the deployment of Burundian battalions, favours such support. Perhaps the time has come to go further and create a trust fund for that operation.

Likewise, we believe that the international community must do everything in its power to support — including in financial terms — the joint

force that the Transitional Federal Government and the Alliance for the Re-Liberation of Somalia have decided to establish. It is essential to devise a financing mechanism that will enable such support to materialize and will enable the Somali parties to begin to create conditions for a way out of the crisis. Making swift progress in that regard is necessary, but it may not be sufficient if AMISOM is soon left alone on the ground, despite its courage. However, we are not condemned to an impossible choice between inaction and measures that are dangerous for the United Nations and would not provide any concrete assistance to the Somali population.

France is convinced that, as in the case of piracy, we can come up with a novel approach. For example, we believe that we should collectively consider the possibility of a multiphase United Nations operation, with a first phase of stabilization, limited in scope, that would enable us to promote political dialogue, foster the re-establishment of the United Nations Political Office in Somalia, facilitate humanitarian access to Mogadishu and keep coordinating with a strengthened and financially supported AMISOM. Following that would be a consolidation phase that would see a conventional peacekeeping operation. We note with great interest the report being prepared by the Secretary-General, which apparently reflects a similar approach.

Through the adoption of resolutions 1846 (2008) and 1851 (2008), we have the legal means to combat piracy more effectively. The European Union, like others, has begun to act. We must continue this effort and, whenever possible, continue to provide tangible assistance to the Somali population.

Mr. Grauls (Belgium) (*spoke in French*): The fight against piracy off the coasts of Somalia has been the object of increasing mobilization on the part of the international community over the past year. In addition to various Council resolutions, several specific initiatives have been taken to respond to a phenomenon that is taking on extremely worrisome proportions in terms of maritime security and the provision of humanitarian aid.

Belgium strongly supports international action to combat acts of piracy. As a member of the European Union, our country participates in such action through Operation Atalanta and has decided to participate directly in the coming months by providing a warship. Mr. President, Belgium welcomes the fact that your country, Croatia, and mine plan to cooperate in the Operation.

Today's meeting has led the Security Council to take an another step in addition to resolution 1846 (2008). In fact, the resolution that we have just adopted authorizes the international community to act not only in the territorial waters of Somalia, but also on its soil. That gives us another instrument to effectively combat piracy.

However, Belgium would like to emphasize the exceptional nature of this measure. The Council certainly has the power to adopt exceptional measures, as we have already done with resolutions 1816 (2008) and 1846 (2008). But Belgium strongly believes that the concern to suppress piracy must not undermine certain very valuable principles of international law: the law of the sea, freedom of navigation and the sovereignty of States over their territories. That is why it was essential that the exceptional measures just adopted by the Council be time-bound, strictly monitored and taken for only one specific purpose, namely, combating piracy and only by countries cooperating with the Somali authorities, in compliance with humanitarian and human rights law.

It is obvious that, ultimately, eradicating piracy is only one aspect of the problems posed by the situation in Somalia. Combating piracy can in itself have positive effects, as one can see from the recent report of the Monitoring Group, which highlighted the links between piracy and weapons trafficking. More generally, the international community has an obligation to continue to work to promote stabilization of the country. However, we must resist the temptation to lump together the responses given by the international community.

Piracy is a particular phenomenon that requires appropriate responses. Efforts to support peace and efforts to combat piracy should be carried out in parallel, each with its own requirements and means. Linking them too closely together can only hamper their effectiveness. Thus, the attention that we are devoting to piracy problems today cannot conceal the absolute need to make progress in the political process. In the area of security, the Djibouti Agreement and the first phases of its implementation have provided some hope for progress. However, Belgium cannot fail to note the internal disagreements within the institutions

of the Transitional Federal Government and the fact that the security situation continues to deteriorate despite that progress. Our efforts must be focused on supporting the process under way and must be aimed at persuading all parties in Somalia to unite in the country's interest. The Intergovernmental Authority on Development and the International Contact Group are working to that end, and the international community as a whole should contribute to that effort.

With regard to peacekeeping on the ground, my delegation has reiterated several times that a United Nations peacekeeping force is inconceivable without sufficient political will on the part of Somali actors themselves and at least the beginning of peace to support.

As for the idea of a stabilization force, that essentially depends on the willingness of certain States to assume that responsibility, as the Secretary-General just emphasized. The African Union has been very courageous in assuming that burden by sending the AMISOM forces. It is urgent that AMISOM be strengthened and supported, as the Secretary-General just suggested in his statement.

Aware that combating piracy is essential but that it also involves broader interests, and aware of the particular situation in Somalia, we believe that important work remains to be accomplished first at the political and security levels. With that in mind we voted in favour of the resolution.

Mr. Ettalhi (Libyan Arab Jamahiriya) (*spoke in Arabic*): Once again we welcome your presence, Sir, and thank you for presiding over the Council. We also wish to welcome Their Excellencies the Ministers and His Excellency the Secretary-General and to thank him for his statement. The Council is meeting today to consider the situation in Somalia and the mounting acts of piracy off its coast during the last months of the year.

It is important that we benefit from the momentum created and use the international solidarity that developed lately in the form of several initiatives — notably, the International Conference on Piracy around Somalia, which took place in Nairobi in December 2008 — and move beyond the limited points of view and partial reactions and seek a comprehensive solution to the problem in Somalia.

It is well-known that Somalia has been in a state of instability for the last two decades, which has led to the collapse of State institutions and the rule of law. That situation has exacerbated the suffering of the Somali people, whose lands and waters have been appropriated. The piracy incidents have threatened the assistance programmes that were set up for the Somali people, in addition to the effects on other countries overlooking the Red Sea and on the security of international maritime navigation in the region.

We believe that we must deal with the political situation in Somalia — as that is the situation that has led to all of the problems — in a comprehensive manner that addresses the root causes of the crisis, and we must not limit our efforts to the symptoms and repercussions of the problems. Those problems must be dealt with in a manner that promotes and expands the political process and ensures the implementation of what has been and will be agreed upon, in particular the recent Djibouti Agreement.

During the past few months, the Council has focused on combating piracy. Considerable efforts have been expended to reach consensus on several important resolutions, which represent undoubtedly positive and commendable efforts. Yet, it must not be forgotten that Somali piracy as a phenomenon, as it has been discussed, clearly resulted from the collapse of the Somali State and the attendant consequences of that collapse, such as the lack of security and the deterioration of humanitarian conditions. Thus, the most effective solution to the problem of piracy requires a comprehensive approach in which the efforts of the international community would join regional efforts and would begin by improving the security situation by providing effective support to the African Union Mission in Somalia (AMISOM). Those actions would be in preparation for an international force with a clear mandate to improve the humanitarian condition of the Somali people and to create an environment conducive to the promotion of the political process and the realization of national reconciliation.

Libya voted for the resolution because it supports all efforts to combat piracy, which is a serious crime that must be stopped and whose perpetrators must be pursued and brought to justice. Yet, Libya is of the view that measures taken by the Council to condemn and combat piracy off the Somali coast must be based on, and must take into account, complete respect for and commitment to the sovereignty of Somalia, its

territorial integrity and its political independence. Such measures must also be taken in coordination with AMISOM in the field and pursuant to the provisions of international law, in particular the 1982 United Nations Convention on the Law of the Sea.

Needless to say, the measures — including the resolution adopted today — taken to deal with a specific situation have no relation whatsoever to any other situation except the situation in Somalia, and they have been taken without prejudice to the rights and obligations of other States, in conformity with international law and without establishing a new international norm.

In short, measures to combat piracy must, in our view, seek to enhance the leading role of the United Nations and must confirm to the rules and principles of international law and all of its sources, including the Charter.

Mr. Kumalo (South Africa): My delegation is indeed honoured to participate in this important debate and wishes to acknowledge the presence of the ministers who are with us in the Council Chamber today. We also welcome the presence of the Secretary-General and the Minister for Foreign Affairs of Somalia with his delegation.

It is a good day for Somalia today, and Somalia does not have too many good days. But I am brave enough to say that today is a good day for Somalia, having listened to the concrete proposals that have been made in the statements made before mine. But let me begin by acknowledging that there is no doubt that piracy in Somali waters has caught the world's attention.

The resolution that the Council adopted today comes shortly after resolution 1846 (2008), which deals with the same issue. The Monitoring Group on sanctions with regard to Somalia concluded that piracy had already become a multi-million-dollar industry involving over 2,000 people and using over 60 small boats and several mother ships. The Monitoring Group told the Council that the pirates had earned enormous amounts of money, estimated to be more than $100 million in the past years.

Yet, as my delegation has always argued, piracy is only one of the symptoms of the root causes of the Somali conflict. There are other Somali grievances, including illegal fishing in Somali waters by foreign ships and illegal dumping of toxic waste off the Somali coast, which have been invoked by the pirates to build general support for their activities among Somali society.

Clearly, what Somalia needs urgently is for its tragic situation to be addressed in a comprehensive and holistic manner. In other words, Somalia needs a political solution that will lead to the establishment of a reliable Government authority in that country. Of course, we should at the same time address piracy as we have done today. We should also address the proliferation of arms, impunity and other serious violations taking place in Somalia.

The Djibouti Agreement that brought together the Transitional Federal Government with the Alliance for the Re-Liberation of Somalia is an important building block in the political process. It is now up to the international community to support the Djibouti Agreement in order to allow the political process to take root in Somalia.

Regarding security stabilization on the ground, the Security Council must fulfil its Charter responsibility for the maintenance of international peace and security in Somalia. As one who has always accused this Council of avoiding its responsibility, listening today I am beginning to change my mind. Maybe because I am about to leave I am becoming nice.

The African Union has contributed to the African Union Mission to Somalia (AMISOM) to help support the Transitional Federal Government. We call on the international community to support AMISOM if it is to make a difference in the lives of the Somali people. Without strengthening AMISOM, we will not achieve the results that we need. That must include predictable and reliable resources, beyond voluntary contributions, that can increase or decrease depending on the economic climate of the time. That is why I support the statement by United States Secretary of State Rice calling for consideration of a United Nations peacekeeping mission in Somalia. I think that this is an important issue that this Council would need to debate. I heard one speaker say today that we need a trust fund. How can a war be fought with a trust fund, which can grow or decrease, depending on the contributions that are made?

Otherwise, the Council can adopt the toughest resolutions possible on piracy; it can even strengthen

the arms embargo and aim the most stringent measures at individuals and entities that may be seen as obstructing the process in Somalia; but such fragmented efforts are unlikely to succeed without a comprehensive solution for the country. And without Council action — without the Council even looking into the possibility of deploying a peacekeeping force in Somalia — Somalia will continue to sink further and further into despair. Surely, the people of Somalia deserve better than that.

Mr. Natalegawa (Indonesia): Mr. President, I thank you for convening this important meeting. We wish to convey how honoured we feel to see you presiding over our work. We also warmly welcome the participation of the Secretary of State of the United States, the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, the Minister for Foreign Affairs of the Russian Federation, the Vice Foreign Minister of China and the Foreign Minister of Somalia in today's debate. We greatly value the statement that was made by the Secretary-General just now.

This meeting is an important opportunity to reinforce international support for comprehensively addressing the problem of piracy and armed robbery off the coast of Somalia and thereby prevent it from growing further as a threat to humanitarian assistance to that country and to international navigation in the area.

Over two years have elapsed since the Security Council first engaged the Somalia piracy issue in its presidential statement of 15 March 2006 (S/PRST/2006/11). Incidents of piracy have grown exponentially since that time, in tandem with the worsening security situation in Somalia itself.

Indonesia condemns all acts of piracy and armed robbery off the coast of Somalia. We welcome the fact that the challenge of piracy has generated action in the region, both by regional countries and by international organizations. We highly commend these concerted efforts. Indonesia also extends its strong support to the flag States and others that have already fallen prey to those illegal acts.

On the other hand, we need also to acknowledge that piracy is not a stand-alone problem. It is, rather, a symptom of a more fundamental challenge, and its durable resolution lies not in the territorial or high seas, but on the land mass of Somalia itself. The twin problems of lawlessness and anarchy in the territory of Somalia, compounded by a lack of governance and law enforcement, need to be addressed urgently.

Thus, we wish to reiterate our strong support for the political process under the leadership of the Special Representative of the Secretary-General for Somalia. We u[illegible] the full implementation of the Djibouti Ag[illegible]ent by all parties in the country. We associate ou[illegible]elves with the call for unity within the Transitional Federal Government.

We share the view that the Security Council's strong support needs to be manifest in the provision of an effective presence of a peacekeeping operation. We commend the African Union for its continued leadership through the African Union Mission in Somalia. More needs to be done to support the African Union, including through additional financial, logistical and technical support. We certainly cannot be indifferent to the African Union's request.

In the immediate term, we recognize the value of the participation and contribution of Member States to deterring and countering piracy in the waters off the coast of Somalia. Strong coordination among the naval vessels located off the Somali coast, as well as among littoral and other States, is essential, as recognized in the resolution we have just adopted.

However, above all, the situation in Somalia calls for a political solution. Only thus can we address the various manifestations of the crisis, including the threat of piracy.

Mr. Weisleder (Costa Rica) (*spoke in Spanish*): I would like to begin my statement by thanking you, Sir, and your delegation for your initiative to organize this meeting to consider the challenges posed to providing assistance to Somalia in its fight against piracy and armed robbery. I would also like to thank the Secretary-General for his presence, which is a sign of his clear support for the actions of this Council on this issue. We would also thank the Secretary of State of the United States, the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom, the Minister for Foreign Affairs of the Russian Federation and the Vice Foreign Minister of the People's Republic of China. Finally, I would also like to thank the Minister for Foreign Affairs and International Cooperation of Somalia for his presence.

Costa Rica appreciates the persistent efforts that have been undertaken in the context of the national reconciliation process by the Government and the people of Somalia to achieve lasting peace and stability. In that context, the full implementation of the Djibouti Agreement must be a priority. However, we are deeply concerned by the deterioration of the situation in Somalia, which is facing the challenge of establishing, with scarce resources, the peace and stability necessary to eradicating piracy, robbery, kidnapping and widespread violence. Persistent political instability is the main obstacle to reversing this state of affairs and guarantees near-total impunity for those who break the law.

This year, the international community has focused on the development and implementation of substantial measures to combat piracy, one of the most visible manifestations of the complex problem in Somalia. These piracy activities have surged exponentially this year. The vast profits derived from ransom exceed the value of resources Somalia has devoted to combating piracy and have fostered the growth of the scourge.

Over the past six months, the Security Council has adopted three resolutions exclusively addressing the situation in Somalia and calling on Member States of the region with the capacity to do so to cooperate among themselves and with the Transitional Federal Government in combating piracy and armed robbery at sea off the coast of Somalia. Those resolutions also address other legal issues. Today, we have adopted yet another resolution broadening the scope of implementation of measures to combat piracy in Somali territory and adding measures for the gathering of evidence and the prosecution of the perpetrators of those acts.

In stressing the issue of piracy, we have almost forgotten the efforts to address the fundamental issue of creating the conditions necessary to improving the political, security and humanitarian situations in Somalia. In that regard, we welcome the manifest readiness of the United Nations and the international community as a whole, and the neighbouring countries of Somalia in particular, to assist the parties in every possible way in consolidating progress in those areas.

We agree that there is an urgent need to stem the threat posed by piracy and armed robbery in Somalia to maritime transport, international trade and, above all, humanitarian relief for more than 2.5 million people. At the same time, we are aware that, while anarchy persists in that country, all the acts of violence we have seen on a daily basis will continue.

My country respects the sovereignty, political independence, unity and territorial integrity of Somalia. We believe that respect for those principles and mindfulness to the requests of the Somali Government and the express consent of that Government to every action that is decided must be our points of departure when formulating the appropriate response in the fight against piracy and armed robbery off the coast of Somalia, in accordance with international law and, in particular, with the 1982 United Nations Convention on the Law of the Sea.

My delegation believes that any initiative relating to maritime security must be supported by joint and coordinated international technical assistance to Somalia, neighbouring coastal States and the region. In that regard, we welcome the initiatives of countries of the region and international organizations such as NATO to combat piracy off the coast of Somalia, in compliance with the relevant resolutions and applicable international law. We therefore welcome the recent deployment of the naval Operation Atalanta by the European Union to protect the maritime convoys of the World Food Programme transporting humanitarian assistance to Somalia and other vulnerable vessels, and to repress acts of piracy and armed robbery at sea off the coast of Somalia. We urge those countries that are able to do so to join in those efforts.

We should also like to commend the delegation of the United States for preparing a unanimous resolution on such a complex issue through dedicated and painstaking work and flexibility. We also thank all other delegations that have contributed through their flexibility to enabling the adoption of a resolution on such a complicated subject, especially to the benefit of the 2.5 million people whose daily lives have been affected.

Finally, we commend the African Union Mission in Somalia (AMISOM) for its stabilizing presence, in particular in Mogadishu. We believe it important for the international community to provide the necessary financial and logistical support to strengthen AMISOM so as to ensure that it can effectively meet its responsibilities, without prejudice to any decision to be

taken shortly by the United Nations on how to maintain its presence in Somalia.

Mr. Kafando (Burkina Faso) (*spoke in French*): At the outset, I welcome the participation in our debate of the ministers present with us today and the Secretary-General.

At a time when the international community is striving to reach agreement on the best way to address the political challenges and the various manifestations of armed violence to which Somalia has been subject since 1991, the emergence of the criminal enterprise of maritime piracy has further complicated the situation. That is why we must all work together to eliminate that new scourge as soon as possible. My delegation therefore thanks the United States and Croatian delegations for their initiative to call this meeting on piracy in Somalia.

During the first half of 2008, the International Maritime Organization had already reported an almost 70 per cent increase over all of last year in acts of piracy along the Somali coast. The scope of the piracy and armed robbery at sea and its increasingly sophisticated methods require the international community to act. Having supported resolutions 1816 (2008), 1838 (2008) and 1846 (2008), my delegation voted in favour of resolution 1851 (2008) today.

However, while recalling that the United Nations Convention on the Law of the Sea must remain the legal framework for combating piracy in general, we sincerely believe that the increase in the number of attacks is primarily the result of the ongoing deterioration of the overall situation in Somalia. Thus, no effort to combat piracy can succeed unless it addresses the tragedy of Somalia as a whole. Aware of that truth, the African Union, having closely followed the situation in Somalia, has launched numerous initiatives to support Somali efforts to move towards peace and reconciliation and to mobilize the international community.

Thus was established the African Union Mission in Somalia (AMISOM), giving effect to Africa's resolve to assume its responsibilities to help settle the problem of Somalia. Since its establishment, AMISOM has worked tirelessly in extremely difficult circumstances to discharge its mandate. My delegation takes this opportunity once again to congratulate and thank Uganda and Burundi for their invaluable contributions to AMISOM and all States and organizations that have supported it.

Unfortunately, despite its unwavering commitment and the loss of several soldiers, the lack of human and logistical resources have severely limited AMISOM. If the prevailing situation persists, there is a real and serious danger that the Mission could be forced to withdraw from the country, as certain sorry indications to that effect have suggested for some time. While no one can predict all of the consequences of such a development, we can be certain that they would be deeply tragic for Somalia, the region as a whole and the entire international community. A withdrawal by AMISOM would certainly lead to the further deterioration of the security and humanitarian situation and leave the field free to the forces of chaos. That would sound the death knell for the current political process and ring in a new state of lawlessness in Somalia.

Thus, we need to save AMISOM by strengthening it, but also work towards the subsequent deployment of a peacekeeping force in Somalia, as the United States delegation suggested.

AMISOM is an invaluable tool, the pillar upon which the United Nations can build a future international presence in Somalia. But in order to do so, it must enjoy the financial and logistical support that it needs, so that it can first remain on the ground and then discharge its mandate and effectively support the implementation of the Djibouti Agreement. Burkina Faso reiterates the need for a positive response to the request of the African Union to strengthen AMISOM. We would like to recall that in its resolutions 1772 (2007) and 1814 (2008) and in its presidential statement of 19 December 2007 (S/PRST/2007/49), the Security Council called on the Secretary-General to consult with the African Union with regard to additional support and to continue to develop the existing plans for the possible deployment of a United Nations peacekeeping mission that would take over from AMISOM.

In that regard, we urge the Security Council to fully shoulder its responsibility to help Somalia, a Member State of the United Nations that has been suffering from a devastating civil war for over 10 years. No one today can reasonably question the difficulties in security and political terms, but that is

precisely what justifies a resolute international commitment.

We owe it to the Somali people, hostage to the situation and primary victims of the war. Since the signing of the Djibouti Agreement on 19 August 2008, and as stressed in the report of the Secretary-General of 17 November 2008 (S/2008/709), despite the ups and downs inherent in the coexistence of parties of often conflicting views, there is no doubt that the Somalis themselves are now committed to emerging from the crisis.

In conclusion, Burkina Faso reiterates its strong condemnation of the criminal activities of the pirates off the coast of Somalia and supports the general mobilization of the international community to find the most appropriate solution.

Solving the crisis in Somalia is a test for the United Nations in general and for the Security Council in particular. We very much hope that the same political will that inspires us today with regard to suppressing maritime piracy may support our action in resolving the whole Somali issue.

Mr. Hoang Chi Trung (Viet Nam): At the outset, Sir, on behalf of the Vietnamese delegation, I would like to thank you for chairing this important meeting. We acknowledge the presence of the high-ranking officials around the table and in the Chamber. My delegation wishes to welcome in particular the Foreign Minister of the Transitional Federal Government of Somalia. We also thank the Secretary-General for his comprehensive presentation on the situation in Somalia.

On a number of occasions, my delegation has expressed its deep concern about the worsening political, security and humanitarian crisis in that war-torn country. In fact, there are ample reasons to believe that there is a very close linkage between security, reconciliation and humanitarian aid.

In our view, what is now needed in Somalia is simultaneous action on both the political and the security fronts. Without any doubt, the primary responsibility for resolving the political and humanitarian crisis rests with the Transitional Federal Government (TFG) and the Somalis themselves. However, we believe the international community could, and should, focus their efforts on the political and security fronts, in which the establishment of a unity Government and a safe and secure environment for it to function in is the key to lasting peace and stability in Somalia.

In that regard, we call upon the leaders of the TFG to make serious efforts to work together towards the strengthening and enlarging of the transitional federal institutions. We also urge all other Somali stakeholders to renounce violence and to join the Djibouti peace process, so that Somalia will soon be able to stabilize itself for the sake of the Somali people.

In view of the gravity of the problems of piracy and armed robbery off the coast of Somalia, the Security Council has devoted much attention to finding ways and means to address those grave threats to the security of international maritime navigation in the region, including the delivery of humanitarian aid to the people of Somalia. Two resolutions that introduced a number of measures to combat those criminal activities have been adopted by the Council in the last six months.

Viet Nam strongly condemns all acts of piracy and armed robbery against vessels at sea, including those in the waters off the coast of Somalia. We have engaged constructively in the concerted efforts of the Security Council in that regard. We comment the initiatives undertaken by many countries and regional and international organizations to counter piracy in Somalia pursuant to those resolutions. It is our conviction, however, that the problems of piracy and the lawlessness at sea off the coast of Somalia will not be solved if their root cause — lack of peace and stability in the country since 1991 — is not squarely dealt with.

Piracy and armed robbery in the waters off the coast of Somalia exacerbate the situation in the country, which is a threat to international peace and security. Therefore, my delegation wished to stress the need for the international community, with the cooperation of the United Nations and the African Union, to engage more actively in Somalia with a view to developing an integrated and comprehensive approach in the interests of peace, stability and development in that country. We also support the request of the TFG, as reflected in the letter of 9 December 2008 from the President of Somalia for further assistance from the international community in combating the scourge of piracy.

By way of conclusion, my delegation wishes to emphasize that any action or measure taken in relation to Somalia, including fighting piracy, must respect fully the sovereignty, territorial integrity, political independence and unity of Somalia. They must also be in conformity with relevant United Nations resolutions and international law, including humanitarian and human rights law.

Mr. Arias (Panama) (*spoke in Spanish*): First of all, Sir, allow me to thank you for having convened this important meeting on Somalia and the piracy that affects its coast and international peace and security. For that reason, Panama supported the resolution adopted by the Security Council, while remaining aware of its scope and that the international community must ensure that it is implemented fully in accordance with international law.

Somalia is more than an untamed coast. It is a country whose citizens barely survive amid the most abject poverty, caused by years of wars, drought and political uncertainty. There is no doubt that the piracy that it is currently suffering is a symptom, and not a cause, of the insecurity of Somalia.

For that reason, the international community must use all means available to it to achieve peace and stability in Somalia. Until the United Nations establishes the most appropriate mechanisms to address the situation, Panama repeats that it is essential that this Organization, and not simply a few countries in particular, support the efforts of the African Union Mission in Somalia (AMISOM). Currently, AMISOM is the only hope for bringing peace, stability and development to the people of Somalia.

Finally, Panama is grateful for the commitment of a number of States Members of this Organization and regional organizations to undertake operations along the Somali coast with a view to combating the acts of piracy, which are affecting the region and the entire world.

The President: I shall now make a statement in my capacity as the Prime Minister of Croatia.

Allow me to start by thanking Secretary of State Condoleezza Rice and the delegation of the United States of America for requesting this meeting on the situation in Somalia, aimed at considering further efforts that the Security Council can and should make in combating the scourge of piracy and armed robbery off the coast of Somalia. I would also like to mention the contributions of all the representatives who took the floor in this meeting. I consider their statements to be additional confirmation of the importance that we all attach to the grave situation in Somalia and the Gulf of Aden.

In today's discussion, we have addressed a serious problem that links various key aspects of the work of the United Nations, from humanitarian elements to the impact this problem has on international trade, and from the overall situation in one of the most troubled spots in Africa to the consequences that this instability might have on the regional and global levels.

Over the past few months, we have heard some very worrisome statistics from the Special Representative of the Secretary-General, Mr. Ould-Abdallah, which clearly point towards a steep increase in pirate activities off the coast of Somalia. In 2008, acts of piracy in that region have doubled in comparison with the figures from 2007. These statistics reveal that piracy and armed robbery in the western Indian Ocean have become an increasing threat. In examining these figures, we should always take into consideration that behind these statistics are real people, who are the actual victims of pirate attacks.

Allow me to mention here that three Croatian citizens, from the cities of Rijeka and Dubrovnik, have been kidnapped by pirates off the coast of Somalia over the past few months. While two have been released in recent weeks, one of them is still being held hostage. The terrifying ordeal that he and his family are enduring reminds us of the suffering of many others and of the much broader implications of piracy for the safety of maritime navigation, international trade and the right of every nation to secure its development in an international framework of peace and security.

Furthermore, it reminds us of the devastating impact that piracy is having on the dire humanitarian situation in Somalia. The lifeline for an estimated 2.5 million people affected by drought and the food crisis in general is being cut off by the actions of pirate militias. For Croatia, this is an absolutely unacceptable situation. I am confident that I can also speak for the entire international community when I say that this is an unacceptable situation.

In this respect, I am convinced that today's constructive and timely deliberations have been instrumental in bringing the international efforts to a new level of commitment and more effective coordination. We welcome the resolution we adopted today, which we believe represents added value to an already solid basis for proceeding in collective anti-piracy efforts, since it addresses many pertinent issues at the operational level that need to be improved, strengthened and further elaborated.

Above all, we attach particular value to the building up of the legal framework to address the handling and prosecution of persons suspected of piracy. It is of the utmost importance that the crime of piracy, like any crime, not go unpunished. It is also important to send a deterrent message and reverse this low-risk, high-rewards trend that we have witnessed over recent months.

In building these additional efforts, I want to stress the importance of the measures already taken by the Security Council, which are reflected in resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1846 (2008) and now in resolution 1851 (2008).

(*spoke in French*)

I would also like to underscore the crucial role played by the European Union in combating piracy and armed robbery. Croatia, as a future member of the European Union, welcomes and fully supports the decision taken this past week by the ministers for foreign affairs of the European Union to launch the first European naval operation along the Somali coast.

While we discuss this matter here in New York, the European Union is today holding a force-generation conference in Northwood, United Kingdom, in order to ensure the successful implementation of Operation Atalanta. Croatia is also participating in that conference in the aim of identifying the most appropriate manner to contribute to that new European Union mission.

(*spoke in English*)

I would also like to stress Croatia's support and appreciation for the prompt response of NATO, through its Operation Allied Provider, in countering piracy off the coast of Somalia and in escorting vessels that are part of the World Food Programme. As a member of the Security Council and a country acceding to NATO, Croatia welcomes the strong cooperation between the United Nations and NATO. The particular case of Somalia demonstrates the significance and importance of this form of cooperation to achieving our common goal of advancing peace throughout the world.

The crucial role of regional organizations acting in accordance with the mandate of the Security Council is certainly reflected in the efforts undertaken by the African Union Mission in Somalia. Croatia commends the key role played by the African Union in facilitating the delivery of humanitarian assistance through the port of Mogadishu and contributing to the establishment of lasting peace and stability in Somalia.

In this sense, we also appreciate the efforts undertaken this past week at the Nairobi conference and the constructive engagement of the countries of the region. Their cooperation is most welcome and should be further encouraged.

While taking stock of what international and regional actors have done so far in countering piracy off the coast of Somalia, we also need to note that more effective coordination is still required. In this respect, we value the ideas and initiatives expressed by some delegations concerning the fact that coordination among the plethora of actors operating in the western Indian Ocean needs to be enhanced in order to better utilize the deployed resources.

As a country with a long maritime tradition, Croatia has been a strong supporter and advocate for such actions by the Council, including through our co-sponsorship of all the relevant resolutions thus far, which we deem to be a solid basis for proceeding in our collective anti-piracy efforts. All of our actions have been guided by the conviction that the Council is duty-bound to find an effective mechanism for suppressing the scourge of piracy off the coast of Somalia.

That being said, I believe that we all share the view that, at this point in time, anti-piracy measures alone will not be enough. Although concrete measures need to be expeditiously agreed to in a coordinated and consistent manner, to focus only on the question of piracy without taking into account the wider picture in Somalia and the complexity of its decades-long civil conflict would be misleading. We do, however, expect that the efforts being undertaken by Member States and the regional organizations, which we fully support and highly value, in the framework of the Security

Council's relevant resolutions will produce tangible results in the theatre of operations.

Croatia also supports the active role of the Secretary-General, including the sustained engagement of his Special Representative for Somalia, Mr. Ould-Abdallah, in giving visibility to the issue and in generating more support for ongoing efforts to alleviate the negative consequences that piracy is having in that region.

In conclusion, as I have already mentioned, we are fully aware that the eradication of the scourge of piracy off the coast of Somalia will require a broader and more comprehensive approach on the part of the international community by focusing on the root causes of the conflict plaguing Somalia over the past two decades.

My country stands ready to contribute to further efforts by the Council to find and implement such a comprehensive approach. In that regard, I would like to conclude by also stressing the importance of local ownership and the crucial role of Somali leaders in cooperating with the international community in the efforts to secure peace, stability and development.

I now resume my functions as President of the Council.

I now give the floor to His Excellency Mr. Ali Ahmed Jama Jengeli, Minister for Foreign Affairs and International Cooperation of the Transitional Federal Government of Somalia.

Mr. Jengeli (Somalia): I take this opportunity to thank you, Mr. President, the Secretary-General and all those who have in one way or another urged the Security Council to take urgent, relevant and bold action to end the 18-year agony of the Somali people.

Once again, the situation in Somalia is under discussion by the Security Council. At the very outset, the question is: Will the outcome be any different this time? I hope that my participation in this meeting of the Council will help it to focus both on the problem of piracy, which the Council is considering today, as well as on the bigger picture in Somalia. I have been heartened by the statements that I have heard today.

Let me now turn to the problem of piracy in the Gulf of Aden and along the Somali coast. Because of the recent surge in acts of piracy, there has been significant coverage of this subject by the international mass media. My Government strongly condemns those criminal acts, which are obviously in violation of international law and the United Nations Convention on the Law of the Sea. These acts of piracy are categorically unacceptable and should be brought to an end.

As all members are aware, Somalia has no capacity to interdict or patrol its long coastline to ensure the security of sea lanes. But we have indeed cooperated with the international community in the fight against piracy. We will continue to do so fully, now and in the future. That is why we have supported the implementation of the numerous resolutions on the problem of piracy off the coast of Somalia. That is also why we support resolution 1851 (2008), which the Council has just adopted.

Let me also stress to the Council the importance of adopting a comprehensive and holistic approach to the Somali problem, as piracy, terrorism and the humanitarian emergency are part and parcel of the bigger Somali problem. Indeed, piracy and terrorism are merely the symptoms of the greater malaise of the Somali body politic since the collapse of the central Somali Government in 1991. If we accept that premise, I hope we will have no difficulty in seeing the real way to tackle both piracy and instability in Somalia.

Without going into too much detail, the only sustainable way to solve the problem of piracy and other ills is to concentrate on the medium and long terms, and not just on the short term. The most effective and relevant way to do so is for the Security Council, first, to take immediate and relevant measures — hopefully before the end of the year, when the mandate of the African Union Mission in Somalia (AMISOM) is to be reviewed — to authorize a robust peacekeeping operation to assist in the restoration of peace and stability and to build local capacity. The undermanned AMISOM contingent could become the nucleus of that new United Nations force.

Secondly, the Council should strengthen the Somali State by strengthening its security forces through the provision of resources, training and equipment.

Thirdly, the Council should boost the political process currently under way in Djibouti, as it is the only viable and credible option we now have.

If that is done right and implemented with competence, urgency and integrity, any acts of lawlessness in Somalia, including piracy, can be taken care of. Other areas of urgent concern in need of assistance include political mediation, reconciliation, socio-economic development and humanitarian assistance. But surely assistance in reconciliation and security needs is the most important and urgent.

I wish to reaffirm to the Council that the Transitional Federal Government of the Somali Republic is fully committed to the implementation of its mandate, in particular the functions envisaged under the Transitional Federal Charter, as well as to the onerous task of reconciliation in the country, despite setbacks and daunting natural and man-made challenges. I would like to dwell for a moment on the goal of reconciliation.

We are in the process of implementing the Peace and Reconciliation Agreement between the Transitional Federal Government and the Alliance for the Re-Liberation of Somalia, which was originally signed in Djibouti on 19 August 2008. We recognize that there have been delays and difficulties along the way, but that comes as no surprise to us. After all, we have been in a state of conflict since the collapse of the central Government in 1991. In our view, resolve and firmness are needed to successfully conclude the process and to implement the Djibouti Agreement if the country is to be saved. Any technical difficulties or objections should be addressed within the process; but implementation must proceed immediately and without delay.

In that regard, I would like to inform the Council that the cabinet today endorsed the Djibouti Peace Agreement. The Transitional Federal Parliament will consider it tomorrow. The first meeting of the Joint Security Committee also took place today in Mogadishu to plan for the 10,000-strong joint Somali force envisaged under the Djibouti Agreement. Those, too, are important developments. The current visit to Mogadishu by Sheikh Sharif is also a positive and welcome development. All those positive developments give us great hope.

The Transitional Federal Government needs to secure its land and territorial waters. It needs to collect taxes. It needs to re-establish meaningful and durable law and order. I submit that that can only be done by a cohesive and united team focused single-mindedly on substantially strengthening the security sector and other State institutions. The lack of such cohesion and unity within the Government and the absence of a reliable security apparatus have indeed led to the breakdown of law and order, thereby having a negative impact on real socio-economic development and creating a catastrophic humanitarian situation. The Djibouti Agreement seeks to rectify many of those things.

That is why I wish to end by urging the Security Council, in no uncertain terms, not to waste another opportunity. We call for the urgent deployment of a fully fledged United Nations peacekeeping force to enable the forthcoming national unity Government to restore peace and stability and create a secure environment for institution-building and socio-economic development.

Mr. Nishimura (Japan): At the outset, I would like to express my appreciation to His Excellency Mr. Ivo Sanader, Prime Minister of Croatia, for his initiative to convene this timely and very important meeting of the Council. We welcome the adoption of resolution 1851 (2008) by the Council today and its call for further international collaboration in addressing the issue of piracy off the coast of Somalia. In this connection, we are grateful to the delegation of the United States for its strong leadership on this particular subject.

The area off the coast of Somalia and in the Gulf of Aden is a critically important sea lane connecting Europe, the Middle East and East Asia. Given this fact, those carrying out the incidents of piracy and armed robbery at sea in this region, which are unique in their gravity, frequency, number of affected countries and negative effect on the situation in Somalia and the peace and security of the region, are quite literally common enemies of the human race — *hostes humani generis* — in today's world. It is therefore essential that the international community address this issue in a determined and concerted manner.

In this connection, we welcome the recent initiatives of the Security Council to suppress acts of piracy in the region, as demonstrated by the adoption of a series of resolutions this year. We also wish to pay tribute to the efforts of those countries that have been deploying naval vessels in the region. In addition, we cannot overemphasize the importance of coordination in combating piracy and thus we strongly hope that the

countries and organizations concerned will take unified and collaborative action to that end.

As a maritime State and a trading nation, Japan attaches great importance to ensuring the safety of marine navigation and security at sea, including through anti-piracy measures. Clearly, these matters are directly linked to the survival and prosperity of our country. The issue of piracy is both a challenge for the international community and a matter related to the protection of the lives and assets of our own citizens. We are therefore gravely concerned about the dramatic increase in acts of piracy and armed robbery off the coast of Somalia and recognize that measures to tackle this problem are urgently required.

In this context, the Government of Japan has been seriously studying the issue of piracy among its relevant ministries and agencies with respect to what new laws we should develop and what actions we can take under the existing legal frameworks. These are some of the questions that we have been addressing. It is our intention to take measures in a prompt and effective manner, beginning with what we can do now. We also plan to provide capacity-building assistance for the countries neighbouring Somalia.

With this resolve in mind, it is our intention, once an appropriate international cooperation mechanism on the issue of piracy off the coast of Somalia has been established, to join at its inception and actively participate in the discussions within the framework. In this connection, I wish to note that Japan has gained practical experience in this area through its initiative to realize the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP). It is our belief that, with this background, we can provide useful expertise with regard to the possible creation of a cooperative framework similar to ReCAAP in the region neighbouring Somalia.

Finally, allow me to reiterate that efforts to suppress acts of piracy are urgently needed from the point of view of the safety of maritime navigation and the protection of human lives and assets. At the same time, I must stress that the genuine resolution of the issue of piracy off the coast of Somalia requires peace and stability in the country. The African Union Mission in Somalia has been making tireless efforts towards that goal and we would like to express our respect for its admirable endeavours under difficult circumstances. We, for our part, will extend our support to the fullest extent possible for the Somali peace process initiated by the Djibouti Agreement. Japan, which will become a non-permanent member of the Council in January, is determined to contribute in a proactive way to peace and stability in Somalia.

Mr. Tassoulas (Greece): Greece expresses its appreciation and support to the Security Council initiatives and resolutions for a more coordinated and thus more active and efficient international response to the phenomenon of piracy off the Horn of Africa. Greece is extremely concerned by the proliferation of acts of piracy in this area, which has affected the safety of international navigation. Crews are at stake and the costs are piling up with higher insurance fees and fuel payments and millions of dollars in ransom demands. It is in this spirit that Greece supports this initiative.

With resolutions 1816 (2008), 1838 (2008) and 1846 (2008), the Security Council expressed in clear terms the political will of the international community to combat the scourge of piracy. My country participates in this international endeavour to monitor navigation in the affected area, to provide protection to the shipping and safe delivery of humanitarian aid, and to deter piracy off the Somali coast. We participate in Operation Atalanta, the first naval operation of the European Union, with one frigate and its operational helicopter. This Operation is scheduled to last one year. Greece has been appointed to the position of Force Commander and Staff for the first four months, which began one week ago on 8 December. We have also participated with one more frigate in Operation Allied Provider.

With the Security Council resolution just adopted and the encouragement of the formation of an international cooperation mechanism, we consider that the international community is endowed with the necessary mechanisms for coordination and cooperation on all aspects of combating piracy off Somalia, in accordance with international law. Greece, as a major maritime Power, is ready to participate in this initiative. In our view, it is also essential that States adopt the necessary domestic legislation attributing jurisdiction to their judicial authorities and courts enabling them to prosecute and try individuals engaged in acts of piracy.

We express our appreciation to the Transitional Federal Government of Somalia for its spirit of

cooperation and partnership in this international endeavour. In return, the international community should help Somalia achieve stability. Greece believes that peace and stability in this country should be promoted through a three-fold approach. First, there must be effective cooperation among all parties involved through the Djibouti process and full implementation of United Nations resolutions. Secondly, existing structures and available means of the African Union should be enhanced and upgraded, in order to strengthen its capacity to respond autonomously and in conformity with international law to crises like those we face in Somalia. Thirdly, and last but not least, we must spare no effort in ensuring the delivery of humanitarian aid to the population of Somalia, gravely affected by endless conflict, political instability, displacement and drought.

The President: I now give the floor to the representative of Norway.

Mr. Wetland (Norway): We meet here in New York knowing that the situation in Somalia is deteriorating. This morning, we met in the Contact Group for Somalia, addressing the political process that may lead towards stability and legal authority or, if it fails, plunge Somalia even deeper into lawlessness.

Here, piracy is the issue. We have a dramatic symptom, we have a set of root causes and we need to address both. Piracy off the coast of Somalia is escalating. It is a threat to international trade, to the freedom of navigation and to what that freedom means to our prosperity. It is a grave threat to the countries and peoples in the region, who will suffer the consequences of failing supplies. And let us not forget — this scourge is a telling sign of the lawless misery that continues to haunt the people of Somalia.

Norway is gravely concerned. We condemn all acts of piracy. We need to act against piracy, as well as the roots of piracy. We greatly appreciate the efforts of all countries and regional organizations that actively take part in combating this crime off the coast of Somalia. We also commend the Transitional Federal Government for its attitude of cooperation with the international community. We pay tribute to the Security Council for its leadership and for adopting resolutions 1816 (2008), 1838 (2008), 1846 (2008) and now, today, 1851 (2008).

Norway is a shipping nation. One thousand Norwegian-owned ships pass through the Gulf of Aden every year. We are open for requests for technical assistance and Norway is ready to make a contribution to the naval operations in the area in 2009.

We must cooperate to apprehend pirates and to bring them to justice, and we must do this within the framework of international law, including applicable human rights standards. Furthermore, the more ships that are made available to naval operations, the greater is the need for proper organization and coordination. A clear United Nations role should be explored.

The existence of piracy off the coast of Somalia has its roots in the situation on Somali territory. A long-term sustainable solution to the problem of piracy will be difficult to achieve without improving stability on land. An improvement of that situation seems to be far from imminent, and that is why today the Council is authorizing special measures against those who undertake acts of piracy, threatening lives as well as lifelines, security interests, commercial interests and an important part of civilization.

The measures authorized must be in accordance with international law and humanitarian principles. It is a principled decision, but not an easy decision. But a decision to the contrary now would somehow send the message that States with broken security sectors may be used as safe havens for pirates. And that we cannot accept.

The efforts to resurrect Somalia must continue with full force. Millions of people are in need of humanitarian aid and more than a million are internally displaced. Norway commends the regional efforts of the Intergovernmental Authority on Development to sustain the political reconciliation process in Somalia. We take note of the decision of the Government of Ethiopia to withdraw its troops from Somali soil. This decision also means a great challenge, both to the African Union and to the international community, to assist the Somalis in avoiding a new security vacuum in the country until such time when the Somali institutions themselves may be able to provide the necessary security and stability to their people. We therefore urge the Security Council to address this challenge with speed and determination, so as not to cause any undue delay in the Djibouti peace process.

Norway shall continue to be an active partner in the international efforts to bring about peace and stability to Somalia, as well as to assist the people in need. The Somali leaders and the Somali people should

know that the international community is ready to assist, but they should also know that it is only the Somalis themselves who can make the necessary decisions to steer the country in the right direction.

The President: I now give the floor to the representative of Turkey.

Mr. İlkin (Turkey): Turkey is deeply concerned by the proliferation of acts of piracy and armed robbery at sea off the coast of Somalia, which have recently spread to a much larger area.

So far, two Turkish commercial vessels have been hijacked and both are still being held hostage by the pirates. We are worried about the safety and well-being of the crew of these ships, as well as those of all other hijacked vessels. We condemn all these barbaric acts, which pose a serious threat not only to international maritime safety, but also to the prompt, safe and effective delivery of humanitarian aid to Somalia.

We are aware that we may not be able to totally eradicate piracy until and unless the prevailing conditions in Somalia improve drastically, yet we cannot remain idle until that is achieved. We have to suppress piracy and armed robbery as much as we can to create a synergy among all countries and regional and international actors concerned and by addressing all dimensions of the problem, including the legal dimension.

Turkey closely follows and supports all initiatives to this end. Turkey has allocated a frigate to the standing NATO maritime group and it has also been invited to force-generation consultations for the European Union Operation, Atalanta.

Turkey fully recognizes the need for robust international cooperation, and we are pleased to see that the Council is actively seized of the matter. In this regard, the adoption of resolutions 1846 (2008) and 1856 (2008) reflect the determination of the United Nations and the Security Council to take the lead on this critical issue. These two resolutions, along with previous ones, will help clear up the ambiguities around the interdiction and prosecution of pirates and the related legal and procedural challenges that undermine international efforts to suppress piracy. They provide clear guidelines to be followed.

Today's resolution encourages, inter alia, all States and regional organizations fighting piracy off the coast of Somalia to establish an international cooperation mechanism to act as a common point of contact between States and regional and international organizations on all aspects of combating piracy. We believe that the United Nations itself should assume overall responsibility for guiding and coordinating all these operations. In this framework, we welcome the announcement by the Secretary-General on the appointment of a focal point as an initial step.

Acts of piracy and armed robbery in the waters off the coast of Somalia further aggravate the situation in that country, which continues to constitute a threat to international peace and security in the region. A lasting solution to the problem can be found only if anti-piracy efforts are complemented by concrete policies and measures that will contribute to the establishment of law and order as well as sustained economic development in Somalia. In that regard, we commend the cooperative attitude displayed by the Transitional Federal Government of Somalia. Nevertheless, the ongoing efforts at the national level should be intensified.

Let me also add that, while taking the measures necessary to combat piracy, we must also start thinking about how the hostages currently held by pirates in Somalia can be liberated. An effective remedy in this regard would also help break the vicious cycle of ransom payments and piracy.

In conclusion, I would like to say that, as an elected Member State which is going to take its place in the Security Council in two weeks' time, Turkey will continue to closely follow and remain seized of the matter.

The President: I now give the floor to the representative of Sweden.

Mr. Lidén (Sweden): First, let me express my strong concern for the deplorable situation of millions of men, women and children in Somalia who have, for such a long time, endured violent conflict and hardship. I urge all parties within Somalia to respect human rights and humanitarian law and to allow humanitarian access.

During the past year, we have witnessed a steady wave of refugees from Somalia trying to cross the Gulf of Aden to Yemen. It is a dangerous and often lethal passage, and yet, so far more than 19,000 Somalis have risked this journey. Hundreds of thousands have fled over land. Over the past year, we have also seen an

unprecedented increase in piracy off the coast of Somalia. Not only have the number of attacks and the number of people engaged in piracy increased, but the attacks have also become more daring. We condemn those acts.

We all know the background: 17 years of armed conflict in Somalia with no end in sight, no functioning Government capable of protecting its citizens or upholding law, and no investments in agriculture or other forms of livelihood for the population. At this stage, a comprehensive approach making use of a wide range of means, including a naval force with an adequate mandate to protect humanitarian deliveries and fend off piracy, is necessary to address the situation. Consequently, Sweden has, pending a parliamentary decision, announced its intention to contribute a navy unit to the European Union-led Operation Atalanta, primarily to protect and escort vessels of the World Food Programme. The European Union (EU) naval operation and other similar operations are important first steps, but we need to reflect further and aim at long-term conflict resolution.

We also need to address the root causes of the intolerable practices of piracy, smuggling and trafficking. We need to support the Somalis in recreating a functioning society that can uphold the rule of law and respect human rights, where young Somalis will have true opportunities that are more attractive than the prospect of becoming criminals or refugees. The alternative could entrench Somalia as a recruiting ground and safe haven for criminality and terrorism.

Sweden would like to reaffirm its strong support for the political process under the Djibouti Agreement, led by the United Nations Political Office for Somalia and Special Representative Ould-Abdallah. That is now the only constructive way forward. It is a process that is owned by the Somali parties and builds on their commitment and responsibility for their own State. It is a process that must become more inclusive and must take firmer root on the ground. The international community must find constructive ways to support that process, including support for increased security and development.

During the past 17 years, many attempts to resolve the crises in Somalia have been carried out and have failed. External involvement has not always been constructive. Hence, the international community must tread carefully and ensure that its actions and the mandates given by the Security Council are in line with and in support of the ongoing efforts to build an inclusive peace in Somalia.

The President: I now call on the representative of Germany.

Mr. Matussek (Germany): Germany welcomes the unanimous adoption of resolution 1851 (2008) as a clear message and a common endeavour of the international community to fight piracy. The European Union is making an important contribution to that end, and my country, Germany, intends to take part in the European Operation Atalanta, which began last week. We very much appreciate the fact that such a substantial commitment by the European Union and its member States for the protection of humanitarian aid and civilian maritime trade has been explicitly welcomed by the Security Council in resolution 1851 (2008).

With many actors involved in the fight against piracy, the need to coordinate all actions off the coast of Somalia will dramatically increase. Germany welcomes the new coordination mechanism provided for in the resolution. We will actively participate in that mechanism and suggest that the following priorities be focused upon: first, sharing information about anti-piracy measures and ensuring that they are executed in a coordinated manner — we must avoid duplication of efforts — and, secondly, finding adequate judicial arrangements for the prosecution of pirates. Piracy is a heinous crime that must not go unpunished. The capacity of law enforcement in the regional context must be strengthened. We should also consider establishing new international tribunals for the prosecution of pirates.

While Operation Atalanta will exclusively combat piracy off the Somali coast, we note that the Security Council provides the international community with further options for combating piracy onshore. We appreciate the fact that such land operations can be conducted only within the specific framework of resolution 1851 (2008) and in agreement with the Somali Transitional Federal Government, thus respecting the sovereignty of Somalia.

While focusing on the immediate urgency of combating piracy with the utmost priority, we must not lose sight of longer-term perspectives for Somalia. It is only by re-establishing and strengthening State

institutions that we will be able to combat the root causes of piracy. Germany is committed to supporting international efforts in that respect. We need a viable, inclusive political process in Somalia and a functioning Transitional Federal Government as a partner in our engagement.

In that context, I would like to express our appreciation for the relentless efforts of the Secretary-General and his Special Representative, Mr. Ould-Abdallah, in bringing together the various parties in Somalia. We urge all actors within and outside the Transitional Federal Government to commit or recommit themselves, in a spirit of compromise and reconciliation, to a durable political solution within the framework of the Djibouti Agreement.

The President: I now call on the representative of Denmark.

Mr. Jølle (Denmark): My Government warmly welcomes the initiative by the Council to hold this special ministerial meeting today in order to address the growing problems posed by piracy off the coast of Somalia. In itself, the meeting underlines how piracy has rapidly developed into a significant challenge to the entire international community. Interventions made here today by ministers and others representing all regions of the world clearly illustrate the widespread political will and determination to fight piracy and, in particular, the need for us to do so in a joint effort.

The problems related to piracy cannot be solved by any one State alone; they need to be addressed by the international community through initiatives that match the severity and urgency of the situation. As expressed in the letter sent last month by my Government to the Secretary-General, we therefore strongly welcome and recognize the important work already undertaken within the framework of the United Nations and the International Maritime Organization, including the recent adoption of Security Council resolution 1846 (2008). We are also pleased to see regional organizations, such as the European Union, NATO, the African Union and the Intergovernmental Authority on Development, taking steps in various ways to join international efforts to alleviate the problems.

For some time now, Denmark has been engaged in the international efforts to combat piracy. As a nation with a large commercial fleet operating globally with a substantial number of seafarers on board, Denmark, for obvious reasons, has a keen interest in intensified international effort in this field. We h contributed by providing maritime military escorts the transport of World Food Programme aid Somalia, and we are participating with a naval ve in the United Nations-supported operation Combi Task Force 150, which is engaged in anti-pir activities off the coast of East Africa. We are curre entrusted with the leadership of that marit operation.

In light of the large variety of actors in this fi strengthened coordination is absolutely essential. therefore warmly welcome the paragraph in resolution calling for the establishment of international cooperation mechanism to act a common point of contact between and among St and regional and international organizations on aspects of combating piracy off Somalia's coast. mechanism should be given a broad scope and constitute a major step forward. We welcome plan form a contact group based on resolution 1851 (20 and stand ready to participate actively in that effort.

A major focus area for the internati community's attention should be the question judicial infrastructure. Recently, Danish naval force Combined Task Force 150 detained a number suspected pirates in international waters. Since it impossible to prosecute the suspects in Denmark o any other relevant State, Denmark eventually had release the detainees. That episode illustrates how t States engaged in anti-piracy activities are faced very difficult challenges regarding the handling prosecution of persons detained in international wa and suspected of piracy or other criminal activities.

In the long term, we may need to examine concept of bringing suspected pirates before international tribunal. In the shorter term, however, need to also focus on more practical solutions. In respect, it is of key importance to conclude regi and bilateral agreements between States on extradition and prosecution of pirate detain particularly in the region concerned. Consequently, strongly support the initiative of Governments in Africa, in cooperation with the IMO, to conclud regional agreement to prevent, deter and supp piracy and armed robbery against ships. In general, note and warmly welcome the many constructive cooperative signals we receive from nations in region.

We must also consider new and innovative approaches. Denmark has suggested to the IMO that a team of experts be established in order to assist detaining States in ensuring that pirates detained at sea are prosecuted. We have also proposed that the IMO, in the context of technical cooperation, give priority to those issues concerning the building of a stronger legal infrastructure in the region. We appreciate the support which we have received so far concerning those proposals.

Finally, as indicated by others here today, piracy is in many ways merely a symptom. Obviously, we also need to look at its root causes and continue the work to produce a cure. The situation inside Somalia is indeed deeply worrying. We need to assist Somalia in preventing and fighting piracy inland by supporting a political solution and promoting peaceful and sustainable development in parallel with our efforts to combat piracy.

In conclusion, I would like to reiterate the strong support of my Government to the international fight against piracy reflected in resolution 1851 (2008). Denmark will remain actively engaged and looks forward to continued cooperation with all other actors in this field.

Mr. Alsaidi (Yemen) (*spoke in Arabic*): At the outset, let me thank you, Sir, for giving me the opportunity to speak before the Security Council on the subject of the increase in acts of piracy and armed robbery against ships off the Somali coast. I also wish to thank the Secretary-General for his thorough briefing on the subject, as well as the recommendations contained within his report (S/2008/709), with regard to measures to be taken by the international community to resolve the issue.

According to the information contained in the report of the Secretary-General, the humanitarian and security situation in Somalia is deteriorating rapidly day by day. In spite of improvements and the negotiations between the Transitional Federal Government and the Alliance for the Re-Liberation of Somalia, the violence and warring continue to worsen. Because of our geographic proximity, we in Yemen suffer the consequences of that deterioration in the Horn of Africa, and especially in Somalia.

With Somalis fleeing the war and the dismal economic situation there has been a proliferation in piracy and the trafficking of human beings. Yemen has spared no effort, within its means, to resolve the Somali crisis through a series of initiatives to bring together Somali tribes, political parties and factions and leaders.

With regard to the issue of piracy in the territorial waters off the coast of Somalia and in the Gulf of Aden, which continue to increase, we believe those acts pose a serious threat to the safety and security of international maritime navigation in some of the world's most important international seaways. Therefore, my country condemns and denounces all acts of piracy and armed robbery against ships in the territorial waters off the coast of Somalia, in the high seas and in the Gulf of Aden.

In that context, the Republic of Yemen is working with the coastal States of the Red Sea and the international community with regard to the proliferation of acts of armed robbery and piracy and the best ways to put an end to that scourge. My country welcomes the consultative meeting of the coastal Arab States held in Cairo on 29 November under the joint presidency of Yemen and Egypt to discuss the phenomenon of piracy off the Somali coast and ways to combat it. We welcome the communiqué adopted at the end of the meeting, which stated that the protection of international marine transport and the security of the Red Sea and the Gulf of Aden are the responsibility of the coastal States and therefore, before any arrangements or operations are established, there must be prior consultation with those States in the context of the territorial waters and international waters adjacent to those States.

My delegation reiterates our ability to protect our territorial waters and we are prepared to cooperate with concerned States in order to consolidate stability and security in the Gulf of Aden and the Arabian Sea, and we call for concerted efforts to combat all acts of piracy and to provide assistance to the countries affected by that phenomenon by strengthening the capacity of their coast guards and providing technical and material support. My country supports international and regional efforts in the fight against the phenomenon.

The Republic of Yemen reaffirms that those efforts must be in line with the relevant provisions of international law and respect for the sovereignty of countries over their territories and territorial waters.

Acts of piracy off the coast of Somalia and in the Gulf of Aden have increased the social, economic and health-care burdens of Yemen because of the uninterrupted flow of refugees towards our country. There have been concurrent increased costs as well as increased need for the services of the coast guard in order to provide humanitarian aid and help rescue those who have been shipwrecked and who risk drowning because of the sea itself or because of the brutality of the shipowners. There have also been increased costs in insurance for ships navigating the seas in that area. Increased assistance to those coastal States can help eliminate piracy in the territorial waters off Somalia and the Gulf of Aden. In that context, the Republic of Yemen welcomes the final communiqué adopted by the United Nations conference held in Nairobi on 10 and 11 December 2008, as well as the recommendations contained therein.

My country believes that establishing a regional centre in Yemen for the exchange of information on piracy and for providing the necessary technical and material support could contribute to coordinating regional and international efforts to combat piracy and armed robbery at sea.

In this context, my country looks to Asian countries party to the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia, as explained by the representative of Japan in his statement this afternoon. That Agreement is in perfect harmony with the proposal put forward by the Republic of Yemen with regard to regional cooperation and combating piracy in our region. The Agreement will serve as useful guidance in drafting our own regional agreement.

My country also believes that the issue of piracy is an inevitable result of the deterioration of the political situation and instability in Somalia. It is also the result of the absence of a functioning State for 17 years. It will be possible to overcome this problem only once a comprehensive political solution that takes all aspects of the issue into account has been reached. In this context, the Republic of Yemen reiterates the need for national reconciliation in Somalia.

In conclusion, we also need to state that the piracy crisis cannot be completely eradicated, regardless of the efforts made, because its root cause is the international community's wilful disregard of the situation in Somalia. The population there is at war, and the territory of Somalia provides the context for the settling of regional issues.

The international community thus needs to give the attention and support needed to strengthen Somalia's central State institutions. It also needs to call upon the parties to form a Government of national unity and put an end to the conflict in Somalia so that the country can consolidate peace and security in its own territory — land, sea and air.

Mr. Abdelaziz (Egypt) (*spoke in Arabic*): Mr. President, allow me at the outset to convey to you the greetings of Mr. Ahmed Aboul Gheit, Minister for Foreign Affairs of the Arab Republic of Egypt, who was looking forward to participating in today's meeting of the Security Council in order to reiterate Egypt's great interest in the issue of piracy off the coast of Somalia and the situation in Somalia in general, but due to unforeseen circumstances was unable to participate in the meeting. I therefore have the pleasure to deliver this statement on his behalf:

> "The past few months have seen a noticeable and worrisome escalation in the phenomenon of piracy and armed robbery off the coast of Somalia. This phenomenon constitutes a real threat to navigation in that important strategic region, to the flow of trade and to the movement of goods on the related maritime routes.
>
> "There is no doubt that this high-level meeting of the Security Council to discuss the phenomenon of piracy and the means of combating is ample testimony to the fact that this phenomenon has become a serious threat to international peace and security. There is a real need to widen the scope of the debate and to continue to exchange views on the optimal means to combat the phenomenon in the context of implementing existing legal and political frameworks and taking into account the international, regional and security circumstances, with a view to arriving at an agreed approach for action.
>
> "Egypt deeply deplores the escalation of acts of piracy off the coast of Somalia. However, it considers the phenomenon to be the direct and clear result of the fragile political and security situation in Somalia, which in turn is the result of the continued disinterest of the international

community and of its disregard of the need to consolidate peace and security in Somalia. From this perspective, the Egyptian position is based on the need for a comprehensive approach to the situation in Somalia that addresses the root causes and motives of the phenomenon of piracy in the region and undertakes the rapid and effective security actions needed to respond to all forms of piracy and armed robbery.

"From that point of view, Egypt has supported international and regional efforts and initiatives undertaken to combat this phenomenon. It has emphasized the need for coherence among these efforts and respect for the relevant rules of international law and for the principle of a State's sovereignty over its territorial waters. Egypt has also stressed that these efforts should be made in conjunction with the holding of a broad and detailed debate that covers all the criteria and legal obligations with the aim of agreeing on specified procedures to regulate the response to this phenomenon in its various stages, from military confrontation, interrogation methods, criteria and controls, to legal and judicial procedures applied to perpetrators. Indeed, various options concerning trials of the accused should be explored, including the possible establishment by Security Council resolution of an ad hoc international court.

"It is important for us, in speaking about the phenomenon of piracy off the coast of Somalia, not to confuse issues relating to the geographical scope of the phenomenon. From all indications, the scope does not exceed the region of the western Indian Ocean and the Gulf of Aden off the coast of Somalia. Thus, the Arab Republic of Egypt had been keen to convene a consultative meeting of the Arab Red Sea riparian countries on 20 November 2008 in order to confirm two facts. The first is that there are no acts of piracy in the Red Sea and that the Red Sea has its own specificities that distinguish it from other regions facing a fragile security situation, due to the fact that countries bordering the Red Sea have the capacity to secure their shores and their territorial waters. The second fact is that the Arab countries bordering the Red Sea are concerned about the escalation of the phenomenon near the southern part of the Red Sea, and that they have the capacity to secure navigation in the Red Sea and to prevent the phenomenon of piracy from emerging there.

"We thus remain eager to agree as soon as possible on measures and procedures to end this phenomenon off the coast of Somalia. We are all therefore responsible for being accurate in our pursuit of legal and political agreements in order to ensure the cooperation of all parties and to provide a legal and practical umbrella for all efforts to combat piracy without violating the established and agreed sovereign rights of States.

"In conclusion, allow me once again to emphasize the organic linkage between the phenomenon of piracy and the Somali issues in general. This situation should prompt us to think seriously about the optimal and most effective way to support peace consolidation efforts and stability in the country, particularly after the Somali parties' success in signing the Djibouti Agreement in August, as well as the subsequent executory security and political agreements. These agreements require the international community to demonstrate sufficient support to protect the progress already achieved towards reaching peace and to prevent setbacks in efforts at national reconciliation. Indeed, such setbacks could have adverse and dangerous political and security ramifications.

"Egypt looks forward to the Security Council's substantive discussion of all proactive options, including the deployment of a United Nations peacekeeping force in Somalia that would act as a safety valve for the joint Somali force that the parties agreed to establish in support of stabilization in Somalia following the withdrawal of the Ethiopian forces. In addition, options to strengthen a United Nations peacekeeping force with maritime and land components to address the piracy phenomenon from all angles need to be explored."

Mr. Sen (India): I thank you, Mr. President, for scheduling this open debate on the threat posed to international peace and security and to the humanitarian situation in Somalia by the acts of piracy in the territorial waters and off the coast of Somalia.

At the outset, let me welcome the Council's adoption today of resolution 1851 (2008) in this context. As one of the nations that share the Arabian Sea with Somalia, India is particularly concerned by the incidents of piracy that are an unfortunate outcome of a larger and ongoing tragedy in the country.

India endorses the need for coherent international efforts to anchor in Somali soil national and regional political processes through an effective peacekeeping mission, ideally under United Nations leadership. A comprehensive approach that addresses the chaos that has long enveloped Somalia is the best long-term solution to the problem of piracy in Somali waters.

Nevertheless, recognizing the continuing tragedy of Somalia and our inability so far to integrate political processes in a broader peacekeeping effort cannot justify the lack of a well-coordinated response to the turmoil spilling out into the oceans. Piracy is a challenge that must be met urgently, collectively and cooperatively by the international community.

Piracy in Somali waters and off the coast of Somalia is an immediate challenge, not only to Somalia itself and the neighbourhood but to international commerce and finance, besides international peace and security. India is directly affected by piracy. Attacks not only impact shipping to and from Indian ports and our extended neighbourhood, but also exact a heavy impact upon us, since the international merchant marine has a substantial proportion of persons of Indian origin.

For that reason India has responded to the challenge of piracy at the request of, and in consultation with, the Transitional Federal Government of Somalia. Over the last two months, India has deployed two of its modern naval vessels to deal with the challenge of piracy. We have had some successes in that regard, including as recently as last weekend, but we recognize that piracy remains a significant threat.

From that standpoint, India believes that the international response to piracy in Somalia needs to include, given the special circumstances in Somalia, an enhanced and institutionalized coordination of international effort to deal with piracy. Not only must we institutionalize operational coordination among navies in the area, but also a mechanism must be set up for those involved in the anti-piracy effort to work with countries of the region in responding to the challenge. We welcome the announcement by the United States Secretary of State of the decision to establish a contact group in that regard.

India would also like to underscore the importance of ensuring a central role for the United Nations, given the international legitimacy that it brings, and not solely as a clearing house for the flow of information on anti-piracy efforts. Greater clarity is required as regards the legal framework of dealing with apprehended pirates. Moreover, common procedures need to be worked out to prosecute those arrested.

There also needs to be a closer linkage between the arms embargo and the anti-piracy effort. That suggestion, which we endorse, was made by the Monitoring Group on Somalia in its 10 December report (S/2008/769). It is important to stem the flow of weapons and to make those involved in planning, financing and facilitating acts of piracy accountable, including by blocking their access to revenue generated from ransom. That is required as the payment of ransoms is encouraging further acts of piracy.

Expansion of the capacity of Somali entities to deal with acts of piracy, both from land, where they are launched, and in Somali coastal waters is also needed.

Finally, the international community needs the International Maritime Organization to lead a process of evolving effective protection systems and strategies for merchant vessels to adopt when navigating piracy-infested waters. That will also help reduce the burden that is currently devolved upon a limited number of naval assets in protecting a large zone of impact.

In conclusion, let me emphasize that while there is truth in the adage that an ounce of prevention is better than a pound of cure, we are currently beyond the phase where prevention can be contemplated. Therefore, we have few options besides simultaneously attempting to deal with the symptoms and trying to cure the disease.

The President: I now give the floor to Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States.

Mr. Mahmassani (*spoke in Arabic*): Addressing the phenomenon of piracy off the coast of Somalia requires that we also address the root cause of that phenomenon, which is, in effect, the dangerous and deteriorating situation in Somalia, presaging a total collapse. We therefore believe that we need to support the process of peace and national reconciliation in

Somalia through the implementation of the Peace and Reconciliation Agreement signed in Djibouti under the auspices of the United Nations, the African Union and the League of Arab States between the Federal Transitional Government and the Alliance for the Re-Liberation of Somalia. We call on all Somali factions to settle their disputes and we appeal to the parties that have yet to join the Djibouti Agreement to do so as soon as possible and to commit effectively to it.

The international community is called upon to undertake speedy measures to contain the situation in Somalia. We support the request of the Secretary-General to deploy a multinational force, as mentioned in his report to the Council (S/2008/709). We welcome the readiness of the African Union to integrate its mission into that force, so that stability can be achieved on the ground.

The deterioration of the security, humanitarian and economic situation in Somalia is among the root causes behind the spread of lawlessness and chaos from land to sea. That has had repercussions on international navigation. Acts of piracy continue unabated and now threaten maritime navigation in the Gulf of Aden, which has resulted in billions of dollars of losses for countries of the region.

Despite the fact that many naval vessels of various nationalities are stationed off the coast of Somalia, acts of piracy continue and are on the increase and becoming more daring. In the past two months alone, pirates attacked 30 vessels. The pirates' take from the ransom of captured vessels in 2008 is estimated at $120 million. Sixteen vessels, of the 40 that have been taken are still in the hands of pirates. It is worth noting that the pirates released the crews after they were taken hostage. Fighting piracy requires that those who have committed acts of piracy be brought to justice. There should be full coordination among military vessels and international law, as set out in the United Nations Convention on the Law of the Sea of 1982, must be respected.

Acts of piracy at sea are only symptoms of the major problem of the deteriorating situation in Somalia. They are the direct result of the absence of any de facto authority on the ground. Therefore, any action should be complemented by practical solutions to address the situation in Somalia itself.

We call on the Security Council to shoulder its responsibility and find a comprehensive solution to the question of Somalia, to end acts of piracy and to work on establishing the rule of law in Somalia itself and off its coasts.

The President: I now give the floor to Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union Commission.

Mr. Lamamra: First, Sir, allow me to congratulate you, and the Croatian delegation, for your leadership and to thank all members of this Council, particularly those whose terms will be ending soon, for their service to the cause of peace and security in the world, and more specifically in Africa.

Let me also, Sir, thank you for giving me yet another opportunity to address the Council on the situation in Somalia. This opportunity comes at a critical moment in the peace process, chiefly because Somalia has witnessed, in the past months, significant developments with regard to the expansion of the scope of peace and reconciliation through meaningful dialogue among Somali stakeholders, sponsored by the United Nations. It also comes at a time of great need to prop up shared resolve in the face of a positive evolution that is hardly matched by the much-needed capability to deliver at the operational level.

It is well known that Africa responded to the call of duty towards the Somali people under adverse circumstances; it deployed the African Union Mission in Somalia (AMISOM) with very little experience in institutional and managerial control of peace support operations, in the absence of a peace to keep and relying heavily on external support. It is gratifying to note that AMISOM has been resiliently representing the international community on the ground in Somalia for the past two years and is today capable of providing a modicum of support to the ongoing efforts resulting from the Djibouti process. Indeed, we believe that, if faithfully implemented, the agreements reached in Djibouti can constitute building blocks for establishing the foundation upon which the process of lasting peace and reconciliation can be predicated.

The recent announcement of the withdrawal of the Ethiopian national defence force from Somalia, following ample notice of the Ethiopian Government's intention, is fully consistent with the provisions of the Djibouti Agreement. The announcement is to be taken and welcomed as one of the main contributions to the

resolution of the conflict. This development should therefore be seen in that light and not construed as a problem in itself. It is in this context that the international community ought to translate whatever challenges such a withdrawal indeed poses into opportunities to be taken advantage of by responding to the demands of the new situation.

The deployment of a robust mission capable of stabilizing the theatre and delivering on its mandate remains the primary challenge, among the myriad of issues facing the African Union since the inception of its engagement in Somalia. This has not been possible owing to several factors, which included the inability to reach the Mission's authorized strength and the lack of sufficient financial and logistical resources to sustain and maintain troops on the ground, including adequate and appropriate equipment to enhance the operational capability of AMISOM.

Our efforts aimed at enhancing AMISOM continue. This reflects the readiness of the African Union to cooperate and be part of any arrangement that will result in the creation of the peacekeeping force foreseen in the Djibouti Agreement. In this respect, I would like to call upon all friends of Somalia to pledge troops, logistics and equipment for the establishment of a United Nations-authorized force, which will stabilize the country and be an integral part of a full-fledged United Nations peacekeeping operation, leading to post-conflict reconstruction and development. This needs a well-articulated Security Council mandate, and I sincerely hope that it will happen sooner rather than later.

I wish now to refer to the twin problems of piracy and armed robbery at high seas and terrorism. The Somali waters, including the Gulf of Aden, now constitute perhaps the most dangerous waterway on the globe. Vessels are now extremely vulnerable when transiting through the area. It is noteworthy to observe that the collapse of the structures of governance in Somalia, beginning in the 1990s, fuelled conditions for the widespread growth of piracy in the region. This first manifested itself in illegal fishing off the coast of Somalia and provided the rationale for attacks on ships by Somali fishermen. The situation further deteriorated into acts of piracy in this vital strategic waterway, with the involvement of "businessmen" underwriting a war economy, including the trafficking of weapons of all types on the mainland and the infiltration of terrorists that supported the insurgency in South-Central Somalia.

Piracy is, therefore, clearly a symptom of a larger problem — that of lawlessness in Somalia. There is an obvious need to address both the symptom and the root problem. Having said this, I should like to applaud the efforts of the Security Council, the European Union, the Russian Federation, India, Pakistan and others and appreciate the declared readiness of Saudi Arabia, Egypt and others to join their respective forces in combating this international criminal phenomenon.

For its part, the African Union is in the process of complementing these efforts by setting the tone to address maritime security and safety, including situational awareness in the maritime domain of the African continent, by thoroughly addressing the issue in the Commission's new strategic plan for the period 2009 to 2012.

The developments in and around Somalia underscore the need for the international community to renew its commitment to address the very complex and multidimensional problem that currently besets Somalia. At a time when partners in the international community are mobilizing to assemble extraordinary assets to combat piracy, Somalia should not be allowed to sink. Our shared values and principles and the indivisible peace and security of the world would be seriously undermined if that were to happen.

We are aware of the challenges that the Secretary-General faces in bringing his plans of establishing a multinational force to immediate fruition, and fully support and welcome plans to avail AMISOM of the financial and logistical resources, including equipment, that may have been pledged. This would assist AMISOM in the short term to sustain its operations and expand current troop levels for greater robustness of the Mission. Indeed, AMISOM requires, more than ever, significant financial, logistical and technical assistance to enhance its efficiency and enable it deliver on its mandate. Above all, AMISOM still requires renewed political support and a clear vision of the international framework in which it will be developing in the near future.

Allow me at this stage to make it very clear that the African Union's position is and has always been that an effective, well-equipped and properly funded United Nations peacekeeping operation should be deployed in Somalia. I welcome and highly value the

strong support extended to the African Union position by the Secretary of State of the United States of America at this meeting and by other delegations. The African Union will certainly applaud the immediate establishment of such a force if at all possible, and the African Union is also prepared for the rehatting of AMISOM troops.

I would like also to take note, with appreciation, of the important comments and recommendations made at this meeting by the Secretary-General on what he sees as bridging security arrangements, which could result in enhancing the effectiveness of AMISOM and would lead to the deployment of a full-fledged United Nations peacekeeping mission in Somalia as soon as possible. Allow me also to stress in this context that time is of the essence and that the status quo is just not sustainable.

At this critical juncture, let me be more specific on what the African Union sees as the pressing requirements.

The first requirement is to send a strong political signal expressing the continued commitment of the international community to the peace and reconciliation process in Somalia through the renewed engagement of the Council in favour of the full implementation of the Djibouti Agreement.

The second is the authorization of the deployment of a United Nations peace support force in Somalia that would include and complement an enhanced AMISOM.

The third is to build on an enhanced AMISOM, in particular by providing the urgent support needed to beef up the force to reach the authorized level of 8,000 troops, as well as to further enable AMISOM with air and naval capabilities.

The fourth is to fully support the Djibouti process by helping to put in place a broad-based Government of national unity, an expanded Parliament and a 10,000-strong police force, to be trained by AMISOM and the international community.

Somalia deserves a resolute commitment by all to actively pursue every measure necessary to ensure a lasting solution to the conflict that has engulfed that country for nearly two decades. I therefore urge the Security Council to vigorously consider its options. The Council should take firm and decisive steps to avoid a security vacuum that would have the potential of endangering the whole peace process in Somalia and more dramatically threatening regional and global peace and security.

We at the African Union are ready to make additional sacrifices and to pursue our undertaking in Somalia within the context of greater United Nations involvement and more effective international support. The leaders of AMISOM troop-contributing countries — Burundi and Uganda — have pledged to us their renewed commitment in that respect. We need the Council's strong leadership at this critical turning point for Somalia. Its decision on the United Nations taking more responsibility in Somalia will have a direct bearing on the decisions of the forthcoming ministerial meeting of the African Union's Peace and Security Council on the issue of the renewal of the mandate of AMISOM.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded its business for this meeting.

The meeting rose at 6.45 p.m.

Security Council

Sixty-third year

Provisional

6047th meeting

Wednesday, 17 December 2008, 10 a.m.
New York

President:	Mr. Jurica	(Croatia)
Members:	Belgium	Mr. Grauls
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. Li Kexin
	Costa Rica	Mr. Weisleder
	France	Mr. Ripert
	Indonesia	Mr. Natalegawa
	Italy	Mr. Riccardo
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Ms. Jácome
	Russian Federation	Mr. Rogachev
	South Africa	Mr. Laher
	United Kingdom of Great Britain and Northern Ireland	Mr. Quarrey
	United States of America	Mr. Wolff
	Viet Nam	Mr. Bui The Giang

Agenda

The situation in the Middle East

Letter dated 2 December 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/752)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-65611 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Letter dated 2 December 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/752)

The President: I should like to inform the Council that I have received a letter from the representative of Lebanon, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Salam (Lebanon) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Daniel Bellemare, Commissioner of the International Independent Investigation Commission.

It is so decided.

I invite Mr. Bellemare to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2008/752, which contains a letter dated 2 December 2008 from the Secretary-General addressed to the President of the Security Council, transmitting the eleventh report of the International Independent Investigation Commission.

Members of the Council also have before them document S/2008/764, which contains a letter dated 4 December 2008 from the representative of Lebanon transmitting a letter from the Prime Minister of Lebanon.

At this meeting, the Security Council will hear a briefing by Mr. Daniel Bellemare, Commissioner of the International Independent Investigation Commission. I now give the floor to Mr. Bellemare.

Mr. Bellemare: It is my honour to present to the Council today the eleventh report of the International Independent Investigation Commission. As requested, it outlines the progress made in the investigation of the assassination of former Prime Minister Rafiq Hariri and other attacks that fall within the mandate of the Commission since my last report to the Security Council on 28 March 2008.

Public confidence is essential to the credibility of any investigative or judicial process. The public, be it the people of Lebanon or the international community, must believe in the process that has been set up to find the truth, to achieve justice and, eventually, to put an end to impunity. The public must believe that the Commission is professional, that it operates according to the highest international standards, and that the process it follows is objective, neutral and impartial. Understandably, emotions are high, but there is no room for emotion or sentiment in this fact-driven process. While there is anxiety and impatience, the process must be allowed to follow its course. And, more important, while the process may have political fallout, it must not be influenced by politics. The paradox is that the elements that make the process credible are the very same that make it frustrating for observers.

While the creation of the Special Tribunal for Lebanon may at the outset have been a political decision, the response that it is expected to provide will be a legal response, not a political one. Indeed, once created, the Tribunal will be expected to act independently, according to rules of procedure and evidence based on recognized principles of international law. It should not be allowed to be politicized. In that regard, during a recent interview with the Al-Arabiya television station, the Minister of Justice of Lebanon, Mr. Ibrahim Najjar, reminded viewers that the Tribunal cannot and should not be used as a political tool.

There is some confusion about the Tribunal and what will happen after 1 March. Much of that confusion results, in my view, from the terminology.

For many people, the word "tribunal" equates with "trial". It is therefore not surprising that, when the Secretary-General announced that the Tribunal was fully on track to start functioning on 1 March 2009, people immediately thought that this meant that indictments would be filed and that a trial would start soon thereafter.

At this point, it might be useful to clarify the process. A good way to try to remove this confusion is probably to explain my future role as Prosecutor.

As Prosecutor of the Tribunal, I was given two distinct responsibilities: first, the responsibility to investigate, and secondly, the responsibility to prosecute. Accordingly, those who established the Tribunal in 2007 foresaw that there would be two successive phases in the process before the Tribunal: an investigation and eventually, a prosecution. Of course, the second phase cannot begin before the first one is completed. Thus, when I become Prosecutor, it should not be surprising to see me continue as an investigator. This is the very nature of the process. The investigation continues.

Fast-food justice is not on the menu. And let me be clear: There will be no indictment of convenience. The fact that it was contemplated all along that the Prosecutor would continue his investigation after the creation of the Tribunal provides a useful context to the decision of the Secretary-General to announce the start of the Tribunal. Indeed, he has determined that, in light of all the circumstances, the time had come for the investigation to move to its international phase, and that the time had come for the Prosecutor to take on the lead from the Lebanese authorities in the Hariri investigation. The Prime Minister of Lebanon has confirmed that Lebanon — for which, and at the request of which the international Tribunal was established — is content with this commencement date.

Progress has been made in the investigation since my last report. Let me summarize what I can say publicly about this progress.

In relation to the Hariri investigation, I stated before that we had gathered evidence establishing that a network of individuals acted in concert to carry out the assassination. Since then, the Commission has identified new information that may allow us to link additional individuals with the network. Progress has also been made in relation to identifying the geographical origin of the suicide bomber in the Hariri case and extensive work has been concluded in relation to our inventory of exhibits.

In relation to the other attacks, there have been two main developments. First, the Commission has found additional elements to corroborate the links already found between the Hariri case and some of the other attacks. The second development is that the Commission has found elements to link one additional attack to the Hariri case.

I know that people want to have more details. They want to know the exact nature of the progress achieved; they want to know what the Commission has discovered so far and what leads are currently being pursued. I have said as much as I can, responsibly. It must be remembered that lives are at risk. I will not argue my case in the media or in public, and I know that that is not what is expected of me. When I am ready, I will present my case to a judge who will decide whether I have sufficient evidence to proceed with indictments.

Unfortunately, I cannot predict when the investigation will be completed. While I can direct the pace of the investigation, I cannot dictate its progress. As much as I would like to, I cannot predict when all the various elements of evidence required to support an indictment will be discovered, nor can I predict when individuals who have more information relevant to the investigation, or who know what happened, will step forward. Accepting this uncertainty, we must continue to be determined and resolute. We must stay the course on all the cases within the Commission's mandate.

As the Council knows, at the end of last month, the Secretary-General announced that the Tribunal was fully on track to commence functioning on 1 March 2009. The mandate of the Commission is set to expire on 31 December of this year, but I have sought a two-month extension to allow the Commission to continue to function until the day the Tribunal starts its operation.

This extension would serve two objectives. First, it would allow the momentum of the investigation to be maintained. Rather than have a two-month gap between the end of the Commission's activities and the start of the Tribunal's, the investigation could continue as seamlessly as possible from one institution to the other.

Secondly, the extension would also provide a period of time in which the Commission could

gradually transfer its investigative operations from a Beirut base to a base in The Hague, several thousand kilometres away. This is not something that can happen overnight. Such a move has to be planned and well-orchestrated. While the investigation continues, staff members have to be transferred and new ones have to be hired. In coordination with the Registry, the infrastructure must be made ready to receive staff members, their offices need to be furnished and systems must be made operational.

Transition is a process — a process that requires a large degree of coordination with the Registrar and his staff and that must be supported by complex and elaborate logistics. It should therefore not be surprising that a transition period to achieve this move in an orderly fashion.

This is why I am requesting that the mandate of the Commission be extended for two months until 28 February 2009. During this period, the Commission will continue to operate in Beirut while its staff and assets are progressively moved to The Hague. By the date set by the Secretary-General, staff, including myself, will be fully installed and operational.

I cannot conclude my presentation without referring to the situation of the detainees in the Hariri case. This is an issue that is of interest to many, and rightly so. I can assure the Council that this is an issue that is also important to me.

As I mentioned in my report, the Commission has continued to share with the Lebanese authorities all the information required to allow them to make a decision on the detainees. Moreover, the detention has been discussed with the Lebanese judicial authorities, with whom I have shared my views.

Again, I can only reiterate, as the Minister of Justice of Lebanon forcefully did during a recent television interview, that the Commission gives information to the Lebanese judicial authorities, but that the power of the judicial authorities is absolute on these matters. If transferred to The Hague, the detainees will then be in a position to seek new remedies before the Tribunal. Meanwhile, as Minister Najjar said, no one gives orders to the Lebanese judiciary.

Having addressed the progress of the investigation and the timing of eventual indictments, one question remains, and this question is on everyone's mind. Is there a case or will there ever be a case? To put it differently, can this case be solved?

There is no such thing as a perfect crime, and the process that I am involved in supports this assumption. This investigation is probably one of the most difficult in recent times. Nobody can give guarantees, nor should we expect any. There are too many variables.

So, can this case be solved? While no one ever said it would be easy, my answer to this question is unequivocal: yes, this case can be solved. As we all know, the investigative process is long and, at times, fastidious. Accordingly, donor countries are entitled to ask the question: Is it worth continuing? Once again, my answer is unequivocal: absolutely!

The investigation at the Tribunal must indeed continue in all the cases within the Commission's current mandate so that I, as Prosecutor, can establish which ones are connected to the Hariri case in the manner required by the Tribunal's statute.

While progress has been made, more must be done. As well-intentioned and committed as it is, the Commission cannot do that alone; it needs help — information, resources and expertise. Let me say this one more time: Member States that can help must share the responsibility in the investigation; they have an obligation to help the investigation.

With the members of my team, I am committed to this process. The search for the truth is a process that is well worth pursuing. The day when I no longer believe that we can make progress, I will say so. However, in the meantime, what I said to my team on my first day on the job continues to be very much applicable: I did not come out of retirement to be associated with a failure.

The President: I thank Mr. Bellemare for his briefing.

I now call on the representative of Lebanon.

Mr. Salam (Lebanon) (*spoke in Arabic*): I should like at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for the current month and the delegation of Costa Rica on a successful Council presidency last month. I thank Commissioner Bellemare for his report to the Council on the progress made in the work of the International Independent Investigation Commission and for his detailed briefing today. I take this opportunity to

express to him and his team my great appreciation and that of my Government for their efforts.

Some might consider that the format of this meeting, at which the Council hears briefings by Commissioner Bellemare, has become a routine affair. However, this meeting has a particular meaning for Lebanon because it coincides with the international celebration of the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights, in the drafting of which Lebanon had the honour to participate. Included among those rights is the right to life, liberty and security of person — a basic right that cowardly terrorists tried to undermine by assassinating a number of my country's leaders and other innocent civilians through a sinister and criminal plot involving a series of explosions. This meeting also coincides with the third anniversary of the assassination of Lebanese Member of Parliament Gebran Tueni and the first anniversary of the assassination of Brigadier General François al-Hajj, and is being held only two months before the fourth anniversary of the assassination of Prime Minister Rafiq Hariri and a number of his colleagues.

It was following that event that, for the first time, we addressed the Security Council to seek support for our efforts to find the truth and put an end to the impunity of the perpetrators. Since then, we have sought only to find the truth and to administer justice, because we believe that that is the best and most effective way to prevent terrorists from continuing their crimes.

The Lebanese Government of National Unity, formed after the adoption of the Doha Agreement and the holding of our presidential elections, highlighted in its statement to Parliament its commitment to the international tribunal established under Security Council resolution 1757 (2007) to prosecute the crime of the assassination of the martyred Prime Minister Rafiq Hariri and his colleagues and other assassination attempts and to administer justice, rather than seek vengeance and politicization. That commitment was reaffirmed by President Michel Sleiman in his address to the General Assembly on 23 September. Today's meeting also follows the Secretary-General's declaration on 30 November that the Special Tribunal for Lebanon is fully prepared to begin its work on 1 March 2009. For all those reasons, today's meeting is an important event not only for the families of the martyrs and victims, but also for all Lebanese citizens, who have the right to a secure, dignified life far removed from terrorists and terrorism.

With regard to the content of the eleventh report of the Commission submitted by Commissioner Bellemare, my delegation cannot fail to welcome the progress made in the investigations and the new information received by the Commission, which will enable it to determine the identities of additional persons related to the terrorist network that carried out the assassination of former Prime Minister Rafiq Hariri. We welcome the finding that that crime is linked with others being investigated by the Commission. In addition, we commend the Commission for its efforts to base its work on concrete evidence, in accordance with the highest norms of international law.

We hope that the Security Council will respond positively to the request that it extend the Commission's mandate from 31 December 2008 to 28 February 2009 in order to ensure a smooth transition between the investigation and the commencement of the Special Tribunal's work, when Commissioner Bellemare will begin his duties as Prosecutor. We look forward to the commencement of the Special Tribunal's work upon the completion of the transitional phase. We wish to thank Secretary-General Ban Ki-moon for his continued efforts to support the progress of justice for Lebanon and the Lebanese. We reaffirm that cooperation among the Commission, the Lebanese authorities and the investigation on logistical matters regarding the security of the Commission and its personnel will continue.

Finally, we wish to thank all Member States that have supported the work of the Commission. Whenever the Commission makes progress in searching for the truth, we come closer to the time when the Tribunal can begin its work so that we can achieve justice and breathe life into the ancient Roman maxim that truth is the mother of justice.

The President: There are no further speakers on my list. In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.40 a.m.

United Nations S/PV.6048

Security Council

Sixty-third year

Provisional

6048th meeting

Wednesday, 17 December 2008, 12.25 p.m.

New York

President:	Mr. Jurica	(Croatia)
Members:	Belgium	Mr. Grauls
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. La Yifan
	Costa Rica	Mr. Weisleder
	France	Mr. Renié
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Panama	Mr. Suescum
	Russian Federation	Mr. Rogachev
	South Africa	Ms. Qwabe
	United Kingdom of Great Britain and Northern Ireland	Mr. Quarrey
	United States of America	Mr. Wolff
	Viet Nam	Mr. Bui The Giang

Agenda

The situation in the Middle East

Letter dated 2 December 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/752)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-65617 (E)

The meeting was called to order at 12.25 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Letter dated 2 December 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/752)

The President: I should like to inform the Council that I have received a letter from the representative of Lebanon, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Salam took a seat at the Council table.

The President: Pursuant to the invitation extended at the 6047th meeting of the Council, I recognize the Commissioner of the International Independent Investigation Commission, Mr. Daniel Bellemare.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2008/792, which contains the text of a draft resolution submitted by France.

Members also have before them document S/2008/752, containing a letter dated 2 December 2008 from the Secretary-General addressed to the President of the Security Council, transmitting the eleventh report of the International Independent Investigation Commission, and document S/2008/764, containing a letter dated 4 December 2008 from the Permanent Representative of Lebanon, transmitting a letter from the Prime Minister of Lebanon to the Secretary-General.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Belgium, Burkina Faso, China, Costa Rica, Croatia, France, Indonesia, Italy, Libyan Arab Jamahiriya, Panama, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1852 (2008).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.30 p.m.

United Nations S/PV.6409

Security Council

Sixty-third year

Provisional

6409th meeting

Thursday, 18 December 2008, 10 a.m.

New York

President:	Mr. Jurica	(Croatia)
Members:	Belgium	Mr. Grauls
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Weisleder
	France	Mr. Ripert
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Ettalhi
	Panama	Mr. Arias
	Russian Federation	Mr. Churkin
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Wolff
	Viet Nam	Mr. Bui The Giang

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-65913 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Brazil, Cuba, Iceland, the Islamic Republic of Iran, Israel, Japan, Lebanon, Morocco, Norway, Pakistan, Qatar, the Syrian Arab Republic, Turkey and the Bolivarian Republic of Venezuela, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Shalev (Israel) took a seat at the Council table; the other aforementioned representatives took the seats reserved for them at the side of the Council Chamber.

The President: I would like to inform the Council that I have received a letter dated 11 December 2008 from the Chargé d'affaires of the Permanent Observer Mission of Palestine to the United Nations, which will be issued as document S/2008/794 and which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council will invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council which will be held on Thursday, 18 December 2008, regarding the situation in the Middle East, including the Palestinian question."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the meeting, in accordance with the rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mansour (Palestine) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Robert Serry, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

It is so decided.

I invite Mr. Serry to take a seat at the Council table.

I should like to inform the Council that I have received a letter dated 15 December 2008 from His Excellency Mr. Paul Badji, Permanent Representative of Senegal, in which he requests to be invited, in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to participate in the consideration of the item on the Council's agenda. If I hear no objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Paul Badji.

There being no objection, it is so decided.

I invite Mr. Badji to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Mr. Robert Serry, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General. I now give Mr. Serry the floor.

Mr. Serry: I am honoured to brief the Council two days after the adoption of resolution 1850 (2008). The Secretary-General welcomes this timely and important resolution, which embodies the principles on which Israeli-Palestinian peace must rest. The resolution came a day after the Quartet affirmed the need to intensify the political process and address acute challenges on the ground. The Secretary-General also chaired a meeting of the Quartet with members and

representatives of the League of Arab States in a framework of collaboration that is essential to the search for peace in the region. The international community has sent a clear and united message of its commitment to the irreversibility of the process leading to the creation of a Palestinian State living in peace alongside a secure Israel.

Preparations for the Israeli general election scheduled for 10 February 2009 have continued, with many political parties holding primaries. A new United States administration takes office on 20 January. There are also internal challenges on the Palestinian side. We are therefore in a period of transition. The immediate priority is to sustain the process during transition by building a solid bridge to carry us through the fragile period ahead. In this regard, a priority must be to ensure calm in and around Gaza and to urgently improve humanitarian conditions. The decision of the Arab League to ensure no vacuum on the Palestinian side, support the legitimate Palestinian Government and pursue Palestinian unity demands support. It is critically important to pursue specific action items to continue improving conditions on the ground in the West Bank. We must protect, preserve and, where possible, advance the three tracks of the Annapolis process — negotiations, institution-building and phase 1 Road Map implementation — and set the stage for a decisive push for peace in 2009.

Let me turn first to the situation in and around Gaza. Six months ago today, a *tahdiya*, or calm, brokered by Egypt came into effect. After a period in which civilian casualties had reached alarming proportions, Palestinians and Israelis enjoyed a respite from daily terror and violence, and many civilian lives were doubtless saved.

But for the past six weeks, this calm has been gravely challenged. Since Mr. Pascoe briefed the Council on 25 November, a further four Palestinians, including two children, have been killed in Gaza and 18 others have been injured. Eight Israeli soldiers and four civilians have been injured by rocket and mortar attacks, more than 130 of which, including 30 in the past two days, were fired from Gaza towards Israeli towns and at the crossings through which civilians, United Nations and other humanitarian workers and all goods entering the Strip must pass. We condemn rocket attacks and call for their immediate cessation.

Egyptian efforts to secure the preservation and extension of the calm are continuing. Through ongoing contacts in Cairo, Israel and Gaza, we are strongly supporting these efforts. There have been heightened rhetoric and continued violence in recent days, with an increase in rocket-firing and a resumption of Israeli air strikes. I am extremely concerned by statements from Hamas that the calm expires today and questioning its renewal. A major escalation of violence would have grave consequences for the protection of civilians in Israel and Gaza, the welfare of the Gazan civilian population, and the sustainability of political efforts. On behalf of Secretary-General Ban Ki-moon, I make today a direct and urgent appeal for the calm to be respected and extended.

I also strongly appeal for basic humanitarian principles to be continuously observed. During the reporting period, access has been restricted for goods coming into the Strip, as well as for diplomats, United Nations staff and humanitarian workers and international press. Between 23 November and 17 December, 614 truckloads of supplies entered Gaza — a daily average of 29. The daily average in October was 123, and in May last year it was 475. Small amounts of supplies have been brought into Gaza by sea.

The unprecedented level of closure of crossing points into Gaza has caused unacceptable hardship to the civilian population. As of today, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has had again to suspend, for the time being, all food distributions. Price increases have resulted in Gazans now spending approximately two thirds of their income on food. There are also reported shortages of some food items, as well as cooking gas. Limitations on cash allowed into Gaza have left beneficiaries of humanitarian organizations, Palestinian Authority employees and pensioners unable to collect salaries, pensions and welfare payments, and forced UNRWA to suspend cash assistance to 94,000 beneficiaries. A one-time transfer of 100 million new Israeli shekels has alleviated this crisis for now, but as stressed in a recent letter from Quartet Representative Blair and the Presidents of the International Monetary Fund and the World Bank, a predictable mechanism for the transfer of cash is required.

Reductions in the import of fuel have resulted in regular power outages across Gaza. Half of Gaza City's population receives water only once a week for a few

hours, and other areas of Gaza receive water for a few hours on alternating days. United Nations projects worth over $150 million, including six priority projects identified by the Secretary-General in May, remain suspended due to a lack of materials.

The Secretary-General outlined his concerns on conditions in Gaza in a letter delivered to his Quartet colleagues last week. We welcome the call of the Quartet for the provision of humanitarian supplies — including food, fuel, pharmaceuticals, water and sewage maintenance items — to the people in Gaza to be assured continuously. The Quartet also reiterated its previous call for Israel to allow into Gaza sufficient materials to facilitate the resumption of stalled United Nations and other donor projects. We continue to seek more effective communication and cooperation with the Government of Israel to ensure that the United Nations is able to execute its mandated programmes to the civilian population.

We also reiterate the call of the Quartet for the immediate release of Corporal Shalit. No progress has been reported on efforts to secure his release in exchange for Palestinian prisoner releases, and the International Committee of the Red Cross has not been granted access to him during his 28 months in captivity.

No Muslim pilgrims from Gaza were able to attend the hajj in Mecca prior to the Eid al-Adha holiday this year as a result of internal Palestinian divisions. The Palestinian Authority secured visas for some 3,000 pilgrims, but Hamas denied their exit through Rafah crossing.

I have detailed the security, humanitarian and development dimensions of the Gaza crisis, but it is also a deep political crisis, threatening the unified basis on which a future Palestinian State, and the two-State solution itself, must rest.

Last Sunday, on the occasion of the twenty-first anniversary of Hamas, Hamas leader Haniyeh challenged the continuation in office of President Abbas pending a resolution of the internal divide. While calling for Palestinian reunification, he did so on a basis that rejected agreements signed and commitments undertaken by the Palestine Liberation Organization (PLO). President Abbas has publicly raised the possibility of calling elections if reconciliation is not achieved.

When foreign ministers of the League of Arab States met in Cairo on 26 November in Cairo, they called on President Abbas to continue his mandate until such time as Palestinian reconciliation is possible and presidential and legislative elections can be held simultaneously in both the Gaza Strip and the West Bank. They affirmed basic terms for such reunification and their continued support for efforts to achieve it, so as to reunite Gaza and the West Bank within the framework of the legitimate Palestinian Authority.

The Quartet noted that position when it met on Monday, reaffirming its well-known principles and stressing that restoring Palestinian unity, based on the commitments of the PLO, would be an important step forward. Security Council resolution 1850 (2008) did likewise. I urge Hamas to respond positively to those exhortations. It cannot be in the interests of the Palestinian people for essential cornerstones of Palestinian legitimacy and national aspirations to be challenged.

I now turn to the situation in the West Bank, where, during the reporting period, two Palestinian militants were killed and 79 civilians injured in Israel Defense Force and settler violence. Most of those injuries were incurred during anti-barrier demonstrations. Despite the adversities on the ground, the efforts of the Palestinian Authority, together with unprecedented donor support and improved Israeli-Palestinian security cooperation, are enhancing security and creating prospects for economic improvements. I continue to work closely with Prime Minister Fayyad to support those efforts of Palestinian self-empowerment and to promote further-reaching measures by the Israelis to enable those efforts, so as to produce a paradigm shift on the ground.

Palestinian Authority security forces continue their efforts to impose law and order and meet the Road Map commitments on security throughout the West Bank. Efforts are continuing in Jenin and Nablus, forces were deployed in Hebron several weeks ago and deployment in Bethlehem has begun ahead of the Christmas celebrations.

Despite the 620 obstacles to movement and access that remain across the West Bank, an easing of restrictions around the Nablus area was instituted on 7 December. We strongly encourage further steps to ease movement and access, given the significant improvements in security on the ground. We also

welcome the release on 15 December of 227 Palestinian prisoners as a gesture to President Abbas.

Between 27 and 29 November, a trade fair took place in Jenin, attended by approximately 200,000 Palestinians. Around 4,500 Palestinian citizens of Israel came to Jenin on that occasion — the largest such influx to Jenin for over seven years. An investment conference in London on 15 December, hosted by Prime Minister Gordon Brown and attended by Prime Minister Fayyad, Quartet Representative Blair and Palestinian and international business people, showcased new business partnerships formed since the Bethlehem Investment Conference in May, and forged more such partnerships.

The Palestinian Authority has finalized and presented its budget for 2009, which foresees continued fiscal adjustment and reforms and envisages a shift in expenditure from recurrent items towards development projects, especially community projects. There is an urgent need to secure adequate and predictable financing from donors to finance the recurrent deficit for 2009.

The overall challenge is to take the incremental steps that have been implemented, intensify and multiply them and make them transformative. One key element is further action to implement the measures of Quartet Representative Blair, including full observance of the moratorium on house demolitions, additional steps in the northern West Bank, further removal of specified movement restrictions, actions to build confidence in East Jerusalem, and further measures in Area C.

Another key element is action on the Road Map commitments. In the reporting period, illegal Israeli settlement activity continued in the majority of settlements in East Jerusalem and the rest of the West Bank, and Palestinian institutions in East Jerusalem remain closed. Contrary to the advisory opinion of the International Court of Justice, construction of the barrier continues in deviation from the Green Line within occupied Palestinian territory.

We continue to call on Israel to implement its Road Map commitments. We urge any new Israeli Government to decisively address the question of settlement expansion, which threatens the two-State solution itself. Israel must also refrain from unilateral actions in Jerusalem that alter the status quo or undermine trust.

We welcome the evacuation by Israeli security forces of settlers from a house in Hebron on 4 December. We urge further action by Israel to remove settler outposts in accordance with the Road Map and address the growing threat of settler extremism. That threat was made clear in the aftermath of the evacuation in Hebron, when settlers and their supporters rioted through areas of the city under Israeli, and later Palestinian, security control, attacking Palestinian civilians, torching and damaging cars, houses and public buildings, desecrating mosques and graves and uprooting olive trees. We unequivocally condemn that violence, in which 14 Palestinians were injured. I welcome the reaction of the Security Council on that issue and remind Israel of its obligation to protect the civilian Palestinian population under occupation.

I was in contact myself with the governor of Hebron and the Israeli authorities during the crisis to support efforts to end the violence. I commend the restraint of Palestinian Authority security forces and the efforts made by the parties to ensure that that incident was contained, and I note the forceful denunciation of the settler attacks by Israeli Prime Minister Olmert.

I turn now to the search for regional stability and peace, on which I have held consultations in Damascus, Amman and Cairo during the reporting period. No further rounds of indirect Israeli-Syrian talks have taken place, but we look forward to their continuation and intensification. The situation in the occupied Syrian Golan remains quiet, but Israeli settlement activity continues.

Important efforts to promote comprehensive regional peace were made in the reporting period, including a joint letter from Prince Saud Al-Faisal of Saudi Arabia and the Secretary-General of the League of Arab States, Amre Moussa, to United States President-elect Obama, underscoring the commitment of the Arab world to the comprehensive proposal made in the Arab Peace Initiative.

In Lebanon, the situation has been relatively quiet during this past month. The various initiatives taken by political leaders at national and local levels to bring a measure of stability to the country have, in general terms, continued to hold. Nevertheless, a limited number of isolated security incidents took place

throughout the country, all of which were contained without sparking further violence.

On 11 December, Lebanon and Syria exchanged official documents on the locations of their future respective embassies in Damascus and Beirut. Visits by Lebanese officials and party leaders to Syria have continued. On 10 November, the Lebanese Interior Minister held talks with his Syrian counterpart in Damascus on matters of security coordination. The two Ministers agreed to establish a committee to follow up and coordinate security issues between the two countries. On 28 November, Lebanese Army commander, General Kahwaji, paid a visit to Syria and discussed cooperation between the armies of both countries with his counterpart and with President Assad. Lebanese Member of Parliament Michel Aoun, leader of the Free Patriotic Movement, went on a five-day visit to Syria.

As called for by the election law adopted earlier this year, the 10 members of the Election Campaign Supervisory Commission, charged with ensuring compliance with regulatory provisions on campaign spending and media coverage, were appointed during a cabinet session on 13 December. In the context of the run-up to the 2009 legislative elections, prominent Lebanese political leaders have continued reaching out to one another in an effort to ease tensions. For example, on 27 October, a meeting took place between the leader of the majority bloc, Member of Parliament Saad Hariri, and the Secretary-General of Hezbollah for the first time in 30 months.

While rubble removal and reconstruction in the Palestinian refugee camp of Nahr el-Bared continue, underfunding of the current appeals for relief of the displaced and for reconstruction of the camp remains a serious concern. Recent pledges include $1 million from the United Nations Central Emergency Response Fund.

The situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) has been generally quiet during the past month. UNIFIL and the Lebanese Armed Forces have continued coordinated operational activities throughout the area south of the Litani River. Israeli air violations continued during the past month.

To conclude, after nearly a year as the Secretary-General's envoy based in Jerusalem, I and my team at the Office of the United Nations Special Coordinator for the Middle East Peace Process continue to actively pursue contacts with the parties in the region and with Quartet colleagues, in order to contain crises and find solutions to immediate concerns on the ground, particularly in Gaza. We are continuing to promote compliance with commitments and obligations, support dialogue and negotiations on the core issues, and advance the implementation of Security Council resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and, now, 1850 (2008).

An important platform for peace has been established in 2008 thanks to the efforts of the parties and the support of the international community. The challenge now is to build on that platform and turn the promise of peace into reality. I am convinced that that can, and must, be done. The diplomatic process and improvements on the ground must reinforce each other and move swiftly forward. A comprehensive peace in the region, with an end of occupation and the creation of a Palestinian State living at peace with Israel at its heart, is possible, necessary and urgent.

The President: I thank Mr. Serry for his briefing.

In accordance, with the understanding reached among Council members, I should like to remind all speakers to limit their statements to no more than five minutes, in order to enable the Council to carry out its work expeditiously. Speakers with lengthy statements are kindly requested to circulate their texts in the Chamber and to deliver a condensed version when speaking.

I now give the floor to the Permanent Observer of Palestine.

Mr. Mansour (Palestine): I would like to reiterate our thanks to you, Mr. President, for your able stewardship of the Security Council this month. I should also like to express our appreciation to Mr. Robert Serry for his comprehensive briefing to the Council. As we approach the end of 2008, I would like to take this opportunity to pay tribute and bid farewell to the outgoing members of the Council. We would like to express our deepest appreciation for their tireless efforts and immense contributions to maintaining and strengthening international peace and security.

We come before the Security Council two days after adoption of resolution 1850 (2008), the first resolution adopted by the Council with regard to the Israeli-Palestinian conflict in more than four and half

years despite the many serious issues and crises that have arisen in that period requiring the Council's urgent attention and action. The Council's inability to pronounce itself on the situation has prevented it from playing its rightful role under the Charter to address an issue of central relevance to the maintenance of international peace and security, thereby harming its credibility and depriving us of its contribution, to the detriment of our collective efforts to achieve peace.

The Security Council's efforts to address current developments — including the intensification of illegal Israeli settlements, the frustration of attempts to deliver humanitarian assistance to the Palestinian population in the besieged Gaza Strip, the rise of settler violence in the occupied Palestinian territory and the status of the Israeli-Palestinian peace process — are therefore welcome and signal the Council's reassertion of its authority and its intention to play a more active role in advancing a peaceful settlement.

We have always appealed for the Security Council's engagement and called upon it to shoulder its responsibilities. Therefore, despite serious misgivings about the exclusionary process and limited scope, we welcome the adoption of resolution 1850 (2008). Moreover, we again urge the Council not only to remain seized of the matter but to actively follow up and implement its relevant resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and now 1850 (2008), in order to contribute tangibly to the achievement of a two-State solution that includes a sovereign, independent, contiguous and viable State of Palestine living side by side with Israel in peace and security on the basis of the 1967 borders. That must remain among the Council's priorities for a just resolution of the Israeli-Palestinian conflict that most benefits the Palestinian and Israeli peoples. It will also vastly enhance the prospects for regional and international peace and stability.

In that regard, we join Arab ministers, the Quartet and the many Council members who have emphasized the importance of the Arab Peace Initiative and of seizing the historic opportunity it provides to make peace and coexistence a reality in our region. Along with the resolutions of the Security Council and the Madrid principles, which constitute the basis of the peace process, the Initiative and the Road Map are integral to the Annapolis process, which has received wide international support and whose irreversibility the Council has affirmed. All efforts and practical measures must be exerted to advance that process in a way that justly resolves all core issues — including those of Jerusalem, borders, Palestinian refugees, settlements, water, security and prisoners — and leads to the conclusion of a peace treaty and the end of decades of our people's statelessness, occupation and suffering.

The Palestinian people, under the leadership of their sole legitimate representative, the Palestine Liberation Organization, remain determined to achieve justice and to live in peace and security in their homeland, side by side with their neighbours. Indeed, since the declaration of independence 20 years ago, the Palestinian leadership has consistently reaffirmed its commitment to negotiations aimed at ending the Israeli occupation that began in 1967 and achieving the two-State solution for peace. Accordingly, the Palestinian Authority has upheld its obligations in good faith under all agreements reached and made every possible effort to fulfil its Road Map and Annapolis commitments.

We all know what is needed to make peace, and yet peace has for too long eluded us. Any impartial examination of the situation on the ground in the occupied Palestinian territory and of the peace process in the past year leads us to the same conclusion. Despite the high hopes and momentum generated by the Annapolis Conference and despite some progress in certain areas, the situation has continued to deteriorate and minimal progress has been made towards peace. Once again, the intertwined and mutually reinforcing nature of the process and developments on the ground has been harshly confirmed. Negative developments on the ground have continued to undermine efforts to advance the peace process. At the same time, the failure to adhere to peace process commitments and to undertake steps for building confidence and improving the situation on the ground have continued to intensify tensions and exacerbate already difficult conditions.

As we reflect on that reality, it is incumbent upon us to ask the following questions. Why — despite the international presence and the promises of Annapolis, despite United States leadership, despite commitments made and despite reaffirmation of the Arab Peace Initiative and the various efforts exerted to support the peace process — have we been unable to make the required progress? What has happened in the year since Annapolis that has prevented us from concluding a peace treaty by the target date of the end of this year, as we were promised?

We need a moment of truth, a reality check and serious answers. Only that will enable us to pinpoint what has gone wrong and to determine what needs to be done henceforth to avoid the pitfalls, repeated failures and deterioration of the past and to put the process on an accelerated track towards the achievement of its stated goals.

In that connection, we agreed to the Quartet proposal for United States supervision and monitoring of the process and developments on the ground. It is our understanding that a report has in fact been prepared by United States General Fraser, yet we have not seen it. We believe that, at a minimum, it should be shared with the Quartet and the Council, not for the purpose of pointing fingers or blaming anyone but in order to know what the obstacles before us are so that they can be removed from the path of the process. The following must be determined. First, who is upholding his obligations and who is not? Secondly, what needs to be done to create appropriate conditions on the ground and between the parties to advance the process towards the attainment of the two-State solution based on United Nations resolutions, the Arab Peace Initiative and the Road Map.

While we continue to await such a report, we are, of course, all aware of what has transpired in the year since Annapolis. Despite the commitments made, the repeated calls of the Quartet and its very clear obligations under international law, Israel, the occupying Power, continues to behave on the ground as if there were no peace process and no prior agreements reached and as though it were immune from the laws that govern international relations, including situations of foreign occupation.

Even as the international community revelled in the high of Annapolis, Israel continued its deviant behaviour, persisting with its illegal policies against the Palestinian people in the occupied Palestinian territory, including East Jerusalem. However, the Security Council and the Quartet have remained incapable of or unwilling to act to bring an end to such Israeli policies and to constructively support the parties in doing what must be done to truly achieve peace.

In the run-up to Annapolis and continuously thereafter, Israel persisted in tightening its siege of the Gaza Strip, in massive collective punishment of the Palestinian civilians there, and continued, particularly in early 2008, to use excessive force against the population, deepening the tragic humanitarian situation in Gaza. Here, we repeat that there is no justification whatsoever for such illegal collective punishment of a people.

We have appealed to the Council on several occasions to act to compel Israel to cease its military attacks, ensure protection of the civilian population and cease the illegal, punitive measures by which it is deliberately causing a human catastrophe in the Gaza Strip. This has included repeated calls for the opening of the border crossings and implementation of the Agreement on Movement and Access. But the international community has only been able to provide desperately needed humanitarian assistance, which the occupying Power also continues to obstruct with impunity, and has failed to act decisively on the political front to address this crisis and bring Israel into compliance with its obligations under international law, including humanitarian and human rights law.

Immediately after Annapolis, it was also revealed that Israel was pressing on with its colonization campaign, in grave breach of the Fourth Geneva Convention. Indeed, contrary to United Nations resolutions and the commitments made at Annapolis and despite repeated calls by the Quartet for respect of the Road Map obligation to freeze settlements and dismantle outposts, Israel has done the exact opposite, escalating the construction and expansion of settlements and the wall, particularly in East Jerusalem.

This obviously requires a concrete response by the Quartet, which should put in place a mechanism to bring Israel into compliance with the call to freeze all settlement activities, including natural growth. The inability to do so has sent the wrong message to the occupying Power, on the one hand allowing it to intensify settlement activities and on the other providing fertile ground for the escalation of settler terror, violence, harassment and intimidation against Palestinian civilians and properties, as recently witnessed in the appalling recent events in Al-Khalil.

Another area where the absence of such a mechanism has undermined the process is the issue of the checkpoints and movement and access restrictions. Despite the Annapolis commitments and the Quartet's numerous calls for the easing of movement and access, we have witnessed an intensification of Israeli restrictions under the pretext of security, with an

increase of at least 100 more obstacles in the West Bank and the isolation of East Jerusalem in particular. Paradoxically, this has occurred at the very same time that reports from all concerned parties are praising Palestinian Authority efforts to promote law and order, particularly in cities like Jenin, in fulfilment of our obligations and underscoring the importance and benefits of such progress and cooperation on the security front. Also, even as this cooperation continues, Israel is still carrying out raids and arrests, which undermine our efforts and which, despite the recent release of some prisoners, ensures the continued imprisonment of at least 11,000 Palestinians.

On the ground, all of this has resulted in further fragmentation of the occupied Palestinian territory, the imposition of deeper socio-economic deprivation on the Palestinian people, the heightening of frustrations and tensions, and a weakening of hope and belief in the peace process.

With the persistence of such complexities and behaviour completely contradictory to that required for a just resolution, it is imperative to ask: how can we bring the peace process to a successful conclusion in the year 2009? We believe that that the responsibility falls upon the Quartet and the Security Council to devise a practical mechanism to address these issues in a situation where one party repeatedly fails to respond to calls and to fulfil its obligations, miring us in a cyclical process with no end in sight. Such a mechanism is necessary to help us overcome the current obstacles and stagnation, avoid the same mistakes and deterioration, and allow the peace process to advance to a successful conclusion.

We have tried to be constructive by identifying what has prevented us from achieving a peace treaty in 2008 and by calling for serious efforts to address the issues that have repeatedly hampered the peace process. This will be the greatest contribution in support of the peace process and to assisting the parties to advance their ongoing bilateral negotiations. This is what we believe will enhance our chances for avoiding the disappointment, failure and despair that the continuation of this conflict would bring and for finally realizing peace in 2009.

Thus, even during the current transitional period, while we maintain our high expectations and hopes for the Annapolis process, we expect the Security Council and the Quartet to uphold their responsibilities and to exert the needed practical measures to ensure that obligations are met and that the parties refrain from any steps undermining confidence or prejudicing the outcome of negotiations.

In this regard, we reiterate our hope that the ceasefire will continue to be upheld and will be extended to the West Bank. Moreover, we express appreciation to our Egyptian brothers and also for the most recent Arab ministerial meeting for the efforts exerted to help us achieve Palestinian reconciliation. We will continue to work cooperatively with our Egyptian brothers to regain Palestinian national unity in all its aspects, a goal that is so essential for our just cause.

In conclusion, I express our deep hope that 2009 will indeed be the year in which we bring an end to the Israeli-Palestinian conflict and the tragedy of our peoples with the achievement of a just, lasting and comprehensive peace, the cornerstone of which is the two-State solution. We look forward to the day when the Palestinian people will exercise their inalienable rights, including their right to self-determination; live in freedom and dignity in their independent State of Palestine, with East Jerusalem as its capital; and when we can together open a new chapter of peace, security and coexistence in our region.

The President: I now give the floor to the representative of Israel.

Ms. Shalev (Israel): At the outset, I wish to congratulate you, Mr. President, on your leadership of the Council for this month, which has been demanding and complicated. I also wish to thank Mr. Robert Serry for his informative and important briefing.

As we approach the end of 2008, we look back on a year that has witnessed substantial progress in the framework of the Annapolis process. In fact, this year has been a most constructive year for the peace process.

Allow me to begin by congratulating the Security Council on its adoption of resolution 1850 (2008) just two days ago. This resolution expresses unequivocal support for the direct bilateral negotiations between Israel and the Palestinians in the framework of the Annapolis process. According to the principles agreed by the parties themselves and presented to the Quartet, any agreement will be subject to implementation of the

Road Map, first and foremost to the principle requiring the dismantling of the terrorist infrastructure.

Further, resolution 1850 (2008) includes additional important principles. The resolution endorses — for the first time — the three Quartet principles as the basis for international legitimacy and support for any Palestinian Government. In so doing, the international community has delivered a clear message to Hamas in Gaza.

The resolution supports the moderate elements in the region. We must not let radicals in the region hijack the agenda for their extremist purposes. The resolution rightly notes that lasting peace can only be based on ending terror and incitement and on a commitment to the two-State solution. Additionally, resolution 1850 (2008) calls for the States of the Middle East to create an environment conducive to bilateral negotiations. That includes promoting mutual recognition and peaceful coexistence in the region, in parallel with progress in the bilateral process.

The real test now lies with the parties on the ground. Let us not forget that Israel is operating on two major tracks. On the one hand, Israel is trying to promote peace with the moderate, responsible leadership on the Palestinian side. On the other hand, Israel is fighting the extremist Hamas terrorist organization in the Gaza Strip.

In spite of the efforts by those who promote incitement, fear and terror, Israelis and Palestinians in the region have demonstrated increasing courage during the past twelve months of negotiations. These negotiations have resulted in important changes on the ground.

Let me mention several key developments. There exists growing cooperation between Israeli and Palestinian security forces. In this regard, Israel has facilitated the deployment of Palestinian police forces in Jenin and the area around Hebron, as well as the opening of 20 additional Palestinian police stations. The city of Jenin — once a breeding ground for suicide terrorism — is now a model for security cooperation in the West Bank.

That progress is important but must be considered in the wider context of the capacity-building of the Palestinian security forces. The United States, the European Union, and certain Arab States play an important role in this regard. In the past year alone, Palestinian wages in the West Bank have increased almost 25 per cent; trade and commerce between Israel and the West Bank have jumped 35 per cent.

All of these developments are important. However, much work remains to be done to build the effective Palestinian capacity to fully implement Palestinian responsibilities. Ongoing terrorist activity in the West Bank remains a threat to Israel and requires us to act accordingly.

Israel remains committed to doing its part to create a positive environment on the ground, one that encourages moderates in the region. In honour of Eid al-Adha and as a confidence-building measure towards the Palestinian Authority and its leadership — Mahmoud Abbas and Salam Fayyad — the Israeli Government has released, this week, 230 convicted Palestinian prisoners.

Through this latest gesture, Israel seeks to intensify its continuing dialogue with partners who are both committed to negotiations and diplomacy and opposed to terrorism. But confidence-building measures by Israel must be met by the Palestinians, as well as by the wider Arab world. The Arab world has a responsibility, namely, to engage in measures that will facilitate the negotiations between the parties, including a clear message against any incitement of and support for terrorism.

While the efforts of Israel and the Palestinian Authority have led to some important accomplishments, serious and dangerous challenges and obstacles remain. This month has witnessed yet another onslaught of rockets and mortars fired at civilians in Israeli towns and cities. This year my country has been the target of a record number of attacks; over 2,900 rockets and mortars were fired from the Gaza Strip into Israel. The same day on which the Security Council adopted resolution 1850 (2008), 11 rockets were fired at Israel. Yesterday alone, 25 rockets were fired from Gaza into Israel, one of which landed at the entrance of a busy supermarket.

The incessant attacks by Hamas also target border crossings, fuel depots and other vital routes that normally enable the flow of goods and humanitarian aid into the Gaza Strip. Nevertheless, Israel acknowledges the need to provide humanitarian aid to the Gaza Strip, and we do our utmost to facilitate the work of the international community.

At this very moment, Corporal Gilad Shalit has remained in Hamas captivity for 910 days and nights. As a human being and as a mother, I was appalled to hear about a rally that took place in the centre of Gaza City celebrating 21 years of the establishment of Hamas. 150,000 people gathered and cheered for a show that mocked the misery of Gilad Shalit, the suffering of his family and the compassion of the people of Israel and people around the world. We expect the international community to do its utmost to bring Gilad Shalit home safely.

The Hamas terrorists of Gaza who relentlessly attack Israel do not act alone. Iran remains the epicentre of Hamas' ongoing terrorist work. Iran, like Syria, actively trains, funds, and equips Hamas, as well as Hizbullah to our north, and many other radicals in the region. Israel also remains deeply concerned by the rearmament and redeployment of Hizbullah in Lebanon — both north and south of the Litani River — in violation of relevant Security Council resolutions.

Israel is fully committed to the peace process. We hope that 2009 will enable us to further the cause of peace in our region. Peace remains the salient goal for the State of Israel. To all of my colleagues at the United Nations, I would like to offer my delegation's sincere wishes for the holiday season and a fruitful New Year.

Mr. Sawers (United Kingdom): My delegation thanks the Special Coordinator for his briefing today. We listened very carefully to the very full contributions from Ambassadors Mansour and Shalev, and I thank them for their statements.

This debate comes very soon after the Security Council discussions on Tuesday. Today is an opportunity to hear the views of the parties and other Member States, as we ourselves made clear in the earlier Council debate. But, let me begin, as others have, by welcoming the adoption of resolution 1850 (2008).

Since the last ministerial meeting to discuss the Middle East last summer, we have seen momentum steadily build towards a greater Security Council role in the Middle East peace process. Resolution 1850 (2008) is an important milestone in a series of resolutions, including 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003). Taken together, these resolutions set out the goals of the peace and the framework for the peace process. Resolution 1850 (2008) serves to underline the key points that we believe are essential for progress towards a lasting settlement.

First, let me stress the importance of building on the current negotiations, including both the Israel-Palestine and the Israel-Syria tracks. Secondly, both parties need to fill their commitments under the Road Map. For Israel, this means taking action to freeze settlement building and improving conditions for Palestinians in the West Bank and Gaza. For Palestinians, it means finding a way to reunite around negotiations and non-violence, with Hamas ceasing their rocket attacks and moving towards the Quartet principles.

Thirdly, it sets out the need for a just, lasting and comprehensive peace, with all States in the region and the wider international community working to build an atmosphere conducive to the negotiations. We welcome the specific reference in the resolution to the Arab Peace Initiative and the Arab engagement on the peace process that lies behind that initiative. As Foreign Secretary Miliband said in his intervention on Tuesday, resolving the Middle East conflict will require more than a two-State solution; it will require Israel and all Arab States to live side by side in security.

The Security Council resolution follows the recent and highly significant letter from the Arab League to President-elect Obama calling for a comprehensive solution to the Middle East peace process and signalling the willingness of the Arab world to work with the new United States Administration on this issue. And the resolution also follows the European Council declaration made on 12 December setting out strong European Union support for and participation in the efforts to achieve a negotiated solution. Taken together, those developments give us momentum to make real progress in 2009 and we look forward to an early commitment from the next United States Administration to sustaining the peace process from the start of its term in office.

The political process is inseparable from the situation on the ground. We welcome the emphasis that resolution 1850 (2008) gives to the development of Palestinian capacity and the development of the institutions of a Palestinian State. The United Kingdom, along with the European Union, continues to support the Palestinian Authority in improving its

security forces and in building up its economy, both of which we believe will lead in time to better security for Israel and a lessening of tensions.

Insecurity in the wider Middle East region, not least the activities of Iran, makes the need for progress in peace negotiations between Israel and its neighbours ever more urgent. The United Kingdom supports the statement made by the Quartet this week and their continued work in engaging with the parties and galvanizing the international community. The United Kingdom will continue to work closely with those in the region and beyond to reinforce the peace process and we will work within the Security Council to build on the authority and direction that the Council engagement has given and will continue to give to the peace process.

Mr. Mantovani (Italy): I would like first of all to thank Special Coordinator Serry for his very informative briefing today and to acknowledge the presence here with us of the Permanent Observer of Palestine, Ambassador Mansour, and of the Permanent Representative of Israel, Ambassador Shalev. I also wish to align my statement with the one that will be delivered by France on behalf of the European Union later on.

Italy welcomes the landmark adoption of resolution 1850 (2008) last Tuesday. We commend the United States and the Russian Federation for their leadership, and we are fully aware of the importance of the strong message of support to the negotiation process that has come from this Council. Resolution 1850 (2008) gives a key message: the Annapolis Process is irreversible; there is no way back. It is absolutely essential that a comprehensive agreement be reached in the form of a peace treaty to be implemented without further negotiations based on the Road Map principles.

We devoted our statement on Tuesday to the Israeli-Palestinian conflict. Therefore, I will not repeat what I said on that occasion regarding the situation on the ground. I should like only to recall our belief in the importance of supporting and promoting a constructive approach by all the States of the region to every track of the peace process and to underline in this context the great potential of the Arab League's Peace Initiative.

I will now turn to Lebanon. We are pleased with the encouraging developments in the national reconciliation process in Lebanon. We are aware, however, that the country's stability is still fragile owing to the ongoing security problems and a substantial lack of progress in fostering reconciliation between the Christian factions. The upcoming elections are thus a crucial step in the process of stabilizing Lebanese democracy. It is our hope that they will take place in the framework of a peaceful and democratic electoral campaign. The presence of electoral observers could help to reduce tensions and assure the proper conduct of both the pre-electoral phase and the elections. Italy is ready to contribute to a possible European mission, should one be requesting by all the Lebanese political forces and receive unanimous agreement from the Siniora Government.

Italy reiterates its hope that the pending territorial issues between Israel and Lebanon will be solved promptly. In this context, it is particularly urgent that Israel withdraw from the northern part of the village of Gajar, so as to end the ongoing tensions in the area and improve Israeli-Lebanese political relations, which is a prerequisite for constructively tackling the remaining open issues between the two countries. We thus believe it necessary for the plan outlined by the United Nations Interim Force in Lebanon (UNIFIL) to be implemented as quickly as possible. We encourage both sides to continue cooperating with UNIFIL in the framework of the tripartite mechanism so as to solve problems on the ground, prevent incidents and proceed with the demarcation of the Blue Line. Italy will continue to contribute its contingent to UNIFIL to ensure the implementation of resolution 1701 (2006) and the maintenance of the ceasefire. We believe that the presence of UNIFIL remains decisive for the stability of Lebanon and the security of Israel.

We also hope that Syria will formally recognize Lebanon's sovereignty over the Sheba'a Farms area by providing written confirmation in response to the Secretary-General's request. We also hope that Syria and Lebanon will quickly follow up on their commitments by exchanging ambassadors and demarking their shared borders so as to place the newly-established relations between the two countries on a sound footing in a manner based on mutual respect for independence and sovereignty.

Mr. Wolff (United States of America): I would like to join others in thanking Special Coordinator Serry for his detailed briefing on the situation in the Middle East today.

I would like to make two main points regarding our discussions. First, we welcome the adoption of Security Council resolution 1850 (2008). It is a positive and forward-looking document that has put the Security Council and the international community on record as confirming the irreversibility of the bilateral negotiations and endorsing the parties' efforts to achieve an agreement. As the Quartet stated on 15 December, a lasting peace will results from the parties' mutually reinforcing efforts on the political track in building the institutions of the Palestinian State, improving conditions on the ground and in implementing their Road Map obligations. The resolution reiterates the importance of fulfilling those obligations and stresses that neither party should undertake any activity that contravenes those Road Map obligations or prejudices the final status negotiation. The United States has made very clear its view on settlement activity and on the Palestinian Authority's obligation to dismantle the infrastructure of terror in its territories, reform security services and end incitement.

On 15 December, the Quartet called for negotiations to be intensified in order to put an end to the conflict and to establish as soon as possible the State of Palestine, living side by side in peace and security with Israel. In parallel, the resolution underlines that a solution to the conflict should be aligned with efforts to achieve a broader regional peace and notes the importance of the Arab Peace Initiative. As Secretary of State Rice told the Council on 16 December, "as Arab States should reach out to Israel, so should Israel reach out to Arab States" (*S/PV.6045*).

The second point I would like to underscore today is our continuing concern for the welfare of the innocent people of Gaza and in the towns and cities of southern Israel. As the Quartet made clear at its meeting this week, a lasting solution to the situation in Gaza can only be achieved through peaceful means. Restoring Palestinian unity based on the commitments of the Palestinian Liberation Organization, the legitimate and internationally recognized representative of the Palestinian people, to non-violence, recognition of Israel and acceptance of previous commitments and obligations are central to this process.

The Quartet, again in its 15 December statement, expressed its concern that the Egyptian-brokered calm in Gaza has been challenged, condemned the indiscriminate attacks against Israel and called for a cessation of violence, including attacks against commercial crossings that prevent the import of humanitarian supplies and basic commodities without which the people of Gaza will continue to suffer.

As the largest single-State contributor of aid to the Palestinian people, the United States is deeply committed to seeing through the delivery of humanitarian aid. The United States calls for the continuous provision of humanitarian supplies to the people of Gaza.

Nonetheless, the Council should not lose sight of the root cause of the current situation. While the vast majority of the people of Gaza simply want to get on with their lives, Hamas, which usurped control from the legitimate Palestinian Authority, and other groups, continue to instigate violence, launching more than 200 rocket and mortar attacks in the past two months against Israel and humanitarian aid crossing points into Gaza, as we heard earlier this morning from Mr. Serry.

The United States calls for an immediate and permanent end to these attacks, which present an ongoing threat to international peace and security. We also call for the full dismantlement of the infrastructure of terrorism, according to the agreed Road Map obligations. The United States also calls for the immediate release of Corporal Gilad Shalit.

Continuing progress in Jenin, and the successful deployment of the Palestinian security services to Hebron are strong counter-examples to the violence in Gaza. These developments demonstrate that Israelis and Palestinians can work together to advance the cause of peace.

Finally, I would like to say just a short word on Lebanon. Full implementation of Security Council resolutions 1559 (2004) and 1701 (2006) is vital to a peaceful and secure Lebanon. As with the establishment of the Special Tribunal, under Security Council resolution 1757 (2007), to try those responsible for the assassination of former Lebanese Prime Minister Rafiq Hariri and others, the United States strongly supports the full implementation of these resolutions. We also urge that additional funds be pledged by Member States for years two and three of the Special Tribunal which should become fully functioning on 1 March 2009.

The Secretary-General's latest report on resolutions 1559 (2004) and 1701 (2006) clearly expressed the importance of Hizbollah disarmament and of ending arms smuggling across the Lebanese-Syrian border. As the national dialogue in Lebanon progresses, we look forward to continuing efforts to implement these core elements of the resolutions.

Mr. Ripert (France) (*spoke in French*): First of all, I, too, would like to thank Mr. Serry for his briefing and the representatives of Palestine and Israel for their statements.

I have the honour to speak on behalf of the European Union (EU) and would like to stress a few major points with regard to the peace process.

First, we welcome the adoption on Tuesday of resolution 1850 (2008), in which the Security Council once again addressed the Israeli-Palestinian issue.

The European Union shares the belief reflected in that resolution that the Israeli-Palestinian negotiation process, which has been under way since the Annapolis conference, is irreversible and must be given the strongest possible support in order to conclude a comprehensive peace agreement as soon as possible. This agreement must provide for the creation of a Palestinian State that includes the West Bank and Gaza and is viable, independent, democratic and sovereign, living in peace and security side by side with Israel within secure and recognized borders, with Jerusalem as the capital of both States.

To this effect, the European Union calls for inter-Palestinian reconciliation. To achieve this, we support Egyptian mediation efforts and would support any Government that respects the Palestinian Liberation Organization's commitments, would strongly support peace negotiations with Israel and whose policy and actions reflect the Quartet's principles.

The second issue of major importance is that, like its European Union partners, France subscribes to a comprehensive approach to settling the Arab-Israeli conflict, as reflected in the resolution. We welcome in this regard the indirect peace talks between Israel and Syria under the auspices of Turkey and encourage the two parties to open direct talks.

We also welcome the Arab Peace Initiative, which we believe provides a solid and relevant basis for peace in the Middle East. It will also help us to include the Syrian and Lebanese tracks in our thinking, which we believe to be essential. In our view, the initiative calls for a continued, broad and constructive commitment from all parties involved.

However, this commitment presupposes strengthening mutual trust, which brings me to my third point. There is only one path towards mutual trust — quick and significant change on the ground, in compliance with the commitments entered into under the Road Map, the importance of which is quite rightly reiterated in the resolution.

In this regard, the Palestinian Authority has made major efforts with respect to security, governance and rule of law, especially in Jenin, Nablus and Hebron. It is clear that much remains to be done to stop terrorism and violence, irrespective of the perpetrating party. Nevertheless, the progress made by the Palestinian Authority in terms of security is undeniable.

We believe that this progress calls for reciprocal gestures from Israel, starting with the settlements issue. Accordingly, the European Union recalls that it is necessary and urgent to put an end to the settlements, which includes natural expansion, as well as expansion into East Jerusalem. Any other policy would damage the credibility of the negotiators and prejudge the outcome of the talks.

Restrictions on travel to and within the occupied Palestinian territories must be lifted, mainly to encourage economic development. The humanitarian situation in Gaza requires radical improvement, through the continuation of the truce, the reopening of the crossings and the provision of goods and services for the population.

The ability of the agencies responsible for providing assistance, especially the United Nations Relief and Works Agency for Palestinian Refugees in the Near East, to do their jobs must be assured. Lastly, it is important that as many Palestinian prisoners as possible be released, with the initial priority given to minors.

The European Union condemns all forms of violence, especially in Gaza, as well as the firing of rockets against Israel, which must be halted. The fight against terrorism must continue unabated. Corporal Gilad Shalit must be unconditionally released.

Fourthly, the parties are naturally not the only ones with responsibilities. It is equally desirable for the international community as a whole to mobilize in

support of the Palestinian Authority. The European Union has done more than its fair share by continually increasing aid. Total EU aid to the Palestinian people, including humanitarian and non-humanitarian assistance, will exceed €540 million this year, meaning that once again the EU and its member States make up the Palestinian Authority's largest contributors.

It is important to continue the work which began in Paris last December at the Donors' Conference for the Palestinian State. Budgetary aid totalling €1.7 billion has been paid so far and it is the responsibility of donors to meet their commitments.

The role of the international community is also political in nature. The European Union is determined to work to strengthen the Quartet's monitoring role on the ground, in collaboration with the United States and other Quartet members. In order to promote a lasting settlement, the European Union, without becoming involved in the negotiations or prejudging their results, has once more demonstrated that when the time comes, it is prepared to help implement a final peace agreement. The European Union recalls the importance of a continued, broad and constructive commitment by its Arab partners.

Lastly, as was emphasized by the heads of State and Government in the European Council declaration of 11 and 12 December, "We urge the United States, under its new Administration, to join us in making the Middle East peace process an immediate and central priority."

The European Union is convinced that to be sustainable, peace must be comprehensive. The European Union reiterates its commitment to resolving all aspects of the Arab-Israeli conflict, in accordance with the terms of reference of the Madrid Conference, especially the principle of land for peace, the relevant Security Council resolutions and the Road Map.

Mr. Ettalhi (Libyan Arab Jamahiriya) (*spoke in Arabic*): As I believe that this is the first open debate of the Security Council on the situation in the Middle East, including the Palestinian question, since the Annapolis conference was held a year ago, perhaps it might be useful for us to consider the negotiation events of the past year and to draw certain lessons from them.

As Mr. Qurai', head of the Palestinian delegation, said about the negotiations, "I do not know if there were any agreements or possible agreements during that period." However, everyone is aware of what has been taking place on the ground, which clearly indicates the political will and serious resolve to bring an end to the occupation and the continued suffering of the Palestinians, which has lasted for more than 60 years.

Many people have cited statistics. Very briefly, I would like to cite a few statistics of my own to remind us of what has taken place on the ground since 27 November 2007. Over the past year, Israeli attacks against Palestinians increased by 300 per cent. The Israeli army carried out more than 1,700 operations in the West Bank and more than 1,363 in the Gaza Strip, 195 of them during the calm period. Those operations claimed the lives of 544 persons, including 71 children, and left more than 2,362 injured. The Israeli authorities destroyed 332 Palestinian homes and in turn authorized the construction of 2,210 dwellings in the West Bank settlements. The number of barriers restricting the movement of Palestinians in the West Bank increased from 581 to 630. Israel continued to build the wall, with all that that entailed in terms of the confiscation of Palestinian land — including recently the land of the village of Azzoun — given that 84 per cent of the wall is located in the territory of the West Bank. The Judaization of Al-Quds Al-Sharif was intensified; Israeli authorities continued to detain more than 11,000 Palestinians, including hundreds of children. It is regrettable that only one case of an Israeli detainee was highlighted but not those of thousands of Palestinians. While it is true that Israel freed 990 Palestinians during the same period, it also imprisoned another 4,950.

Those are only a few statistics. Unfortunately, they do not tell the whole story, so I shall make a number of clarifications, relying on Israeli testimony as appropriate. First, what Palestinians in the West Bank are experiencing in their daily lives are humiliation and mistreatment, restrictions on their movement, attacks by the Israeli army and settlers, and racial discrimination. Here, I shall quote from an account by an Israeli human rights organization: "The discrimination practiced by Israel in the West Bank increasingly recalls the apartheid system that prevailed in South Africa". That is a quote from an Israeli source. Here is a quote from another Israeli source:

> "In the areas occupied in 1967, the concentration of settlements in the occupied territories and the policies being implemented have created a

> situation of apartheid and discrimination in the institutions, and the principle of equality has been annihilated in the region. Two groups of citizens under the same legal authority experience two different systems of law: one group enjoys all its civil rights, while the second group is deprived of its rights. Thus, Israel has created a huge modern road network in the West Bank, but that network is for the use of Israelis alone, while Palestinians are forced to travel on dangerous and tortuous roads. The Israeli planning agency imposes restrictions on construction in Palestinian towns and villages, in contrast to the flexibility given to Israeli settlements. While the amount of water supplied to the settlements makes it possible to plant grass and fill pools, many Palestinians have to buy drinking water."

Therefore, we wonder: what is the objective of those practices in the West Bank, if not to make life impossible for Palestinians so that they must leave, joining the 6 million other Palestinian refugees, thus creating a reality that would make it impossible to establish a Palestinian State? These are not my words; they come from an Israeli human rights organization, which says, "The great change brought about by Israel in the mapping of the West Bank precludes any real possibility for the establishment of a Palestinian State."

Secondly, with regard to the total siege imposed on Gaza by the Israeli authorities, we all know that the general calm achieved in June was fully respected by the Palestinians. On 4 November, the Israeli army carried out an incursion into eastern Gaza, killing six Palestinians in an attack, so it was only natural that there should be a reaction from the Palestinians. Since 5 November, Israelis have openly imposed a total land, air and sea siege against Gaza, even denying entry to trucks of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. And perhaps members heard today's announcement that assistance to more than 750,000 Palestinians was being suspended because of an interruption in supplies. Of course, it is true that Israeli authorities open certain crossing points from time to time, but we wonder if that is only for propaganda purposes.

As a result of the siege, there has been a total paralysis of economic activity. Eighty per cent of Palestinian families now live below the poverty line. There has been a total collapse of drinking water and sanitation services; drinking water stations and sanitation facilities cannot function properly, and the Council can imagine the result. There is an almost total shortage of medical supplies in hospitals. There are also obstacles to the proper functioning of the banks and electricity stations that provide about 50 per cent of Gaza's electricity requirements. How can they call those actions and practices? They are what the Special Coordinator has described as "a flagrant violation of human rights" in Gaza, and I think that is the truth.

Over the course of the year, we witnessed something that we had not seen before — restrictions imposed on Palestinians and attacks against Palestinians. There are 650 settlers in Hebron — a town whose population includes more than 150,000 Palestinians — and that town is experiencing nearly daily attacks against Palestinians by settlers who destroy their homes and their property and do whatever they want under the protection of 2,000 Israeli soldiers. That is an outline of the results of Annapolis — the expansion of settlements, the deterioration of the humanitarian situation, human rights violations and increased violations of international law on the part of the occupation. All of that is unfolding within the silence of the Council, which can be understood by the victims only as a form of collusion, discrimination, bias or double standards being used against them. Those practices and the silence of the Council can only fuel hatred, frustration and despair. How can we follow the path to peace and coexistence in that manner?

If the Council seeks to guarantee the minimal conditions for peace in the region, the very least it could do would be to condemn the occupation and the settlements and halt their expansion; lift the siege on Gaza; stop extremist settler activities in Hebron, protect the Palestinians, and take into account the words of Bishop Desmond Tutu and Richard Falk that all of those who have committed crimes against humanity must be brought to justice.

Mr. Tiendrébéogo (Burkina Faso) (*spoke in French*): I, too, would like to thank Mr. Serry for his briefing. My delegation is also grateful to the representatives of Palestine and Israel for their contributions.

Only two days ago, the Security Council adopted resolution 1850 (2008) on the situation in the Middle East. That important resolution invites the parties to continue negotiations within the framework of the Annapolis process, but it can achieve its objectives

only with the decisive involvement of the parties and the international community. With resolve and determination, Israelis and Palestinians can succeed in achieving peaceful coexistence and comprehensive peace, having been able to maintain regular contact during 2008.

Along with the Annapolis agreements, the Arab Peace Initiative and the Quartet Road Map, there is now a framework for the process and a means to achieve the goals. The commitment of each of the parties is well known and their responsibilities are known as well, especially when it comes to strengthening mutual trust. For its part, the international community must support them decisively and continue its efforts for the socio-economic development of Palestine, including by strengthening its institutional capacities and providing assistance to Palestinian refugees and to the population of Gaza.

In the regional sphere, we welcome the general calm currently prevailing in Lebanon as a result of the efforts of the Lebanese people and parties. It will continue and gain in strength so long as the Doha Accord is fully applied. We urge the parties, in particular, to overcome their differences in order to prepare the legislative elections of May 2009 in a peaceful manner. At the same time, improving relations between Lebanon and its neighbours would help to strengthen peace and stability in the country and throughout the region. For that reason, we welcome and encourage the initiatives undertaken in that respect. We urge Israel and Syria to become part of that same process in order to ensure the success of the indirect negotiations undertaken under the auspices of Turkey.

The countries of the region are destined to live together and must therefore take the necessary measures to facilitate a coexistence that would guarantee peace and security for each and for all. In that respect, the role of the United Nations will remain crucial. Notably, the United Nations is making a valuable contribution to stability in the Middle East through the United Nations Disengagement Observer Force and the United Nations Interim Force in Lebanon. We appeal once again to all of the parties to cooperate fully with those Forces.

The year that is coming to an end has seen some progress in the resolution of major crises in the region. However, many challenges remain. Primarily with respect to the Palestinian question, we express the wish that 2009 will keep the spirit of Annapolis alive with the objective of creating a Palestinian State living side by side with the State of Israel in peace and security.

With the adoption of resolution 1850 (2008), the Security Council should be in a position to support the parties and the process in a more committed, more visible and especially more tangible manner.

Mr. Grauls (Belgium) (*spoke in French*): I, too, would like to thank Mr. Serry for his very useful and detailed briefing and my Israeli and Palestinian colleagues for their statements.

Two days after a debate focused on the Israeli-Palestinian conflict, and despite our ongoing concern over the humanitarian and security situation on the ground, especially in and around the Gaza Strip, I will avoid repeating the detailed position of Belgium on the issue, especially since it was broadly reflected in the statement made by the representative of France on behalf of the European Union, to which my delegation fully subscribes. I would rather take advantage of the briefing we have received to forecast the opportunities and challenges in the Middle East that await us in 2009.

The first observation is that we are seeing international commitment at a level unseen since the beginning of the millennium. There have been five summit meetings of the Quartet in a single year, including a meeting with the direct briefing of the parties on the status of negotiations. That included the direct involvement of the international community with Israel and the Palestinian Authority, already reflected in the reactivation of the Ad Hoc Liaison Committee and in the discussion of Palestinian reform plans.

In support of those two forums, four successive ministerial conferences have been convened in Annapolis, Paris, Berlin and London to give the greatest possible political and economic support to the negotiations, alongside the investment conferences in Bethlehem and London and the economic recovery plan of Tony Blair, Representative of the Quartet.

Finally, after having been too long the symbol of paralysing disagreement on the part of the international community, the Security Council — our Security Council — recalled last Tuesday that it remains seized of the matter. We thus welcome the adoption of resolution 1850 (2008), in that it confirms the

Council's responsibility to help in the realization of the solution of two viable States living side by side in peace and security.

In a period of transition that is inevitably more fragile, Belgium, along with its European partners, advocates maintaining this international commitment. We could begin by seeing to it that the adoption of resolution 1850 (2008) does not remain window dressing without a future. On the contrary, it should strengthen the ability of our Council to shoulder its responsibilities in accordance with the Charter and see to it that its previous resolutions are implemented.

Our second observation touches upon the reaffirmation of the regional commitment in the quest for stabilization and a complete, just and lasting peace with Israel. Resolution 1850 (2008) recalled the importance of the Arab Peace Initiative. We can once again hail the commitment of the sponsors of the Initiative to reaffirm it at the Riyadh summit in March 2007. But the sense of responsibility of the regional players does not stop there.

Under the aegis of Turkey, indirect negotiations have begun between Israel and Syria. There has been a renewal of contacts after eight years of silence. We hope that a fifth session will soon bring them close to direct discussions with a view to a peace agreement.

In Lebanon, after violence that we feared would lead to a new civil war, mediation by Qatar helped in the election of a new President and in renewing national dialogue. Since then, a constructive dialogue has begun with Syria. We encourage the fulfilment of the commitments entered into in Damascus for the normalization of bilateral relations, including the establishment of diplomatic relations. Beyond that, and in view of the impact on regional peace and security, we emphasize increased cooperation for the monitoring of the Lebanese-Syrian border and respect for the arms embargo approved in resolution 1701 (2006). On this specific item, and more generally because of its role in the region, we call upon Iran to use its influence constructively and in support of peace.

Finally, with regard to Palestinian reconciliation, Saudi Arabia, Yemen and Egypt have successively shown the Arab commitment to reunifying the Gaza Strip and the West Bank within the fold of the Palestinian Authority. Based on the observation that we cannot have a lasting peace without involving the entire Palestinian people, we urge the continuation of these Arab efforts, and we encourage Hamas to have a sense of responsibility for not depriving Gazans of the peace dividends.

In this context, Belgium welcomes the confirmation of the organization of an international meeting in 2009 in Moscow. Without prejudging the progressive stabilization of various hotbeds of regional tension, we hope that that meeting will allow for the identification of the way in which we can integrate them into a comprehensive and mutual stabilization in the Middle East. Already, together with our European partners, we are prepared to work with the parties in order to offer them the international safeguards necessary for making progress in this direction.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We are grateful to the Secretariat and the United Nations Special Coordinator, Mr. Serry, for the briefing given us on the situation in the Middle East. We agree with his evaluation of the recent events in Palestinian-Israeli relations and also on the Syrian-Lebanese track.

The position of the Russian Federation with regard to the situation in the Middle East was given by the Minister for Foreign Affairs, Mr. Sergey Lavrov, in his statement to the Security Council on 16 December (*see S/PV.6045*). Therefore, I shall limit my statement to a few remarks.

Of course, near the end of 2008, we would like to have obtained more results from the Annapolis process, and we agree with the concern over the humanitarian situation in the Palestinian territories and the continued settlement activities. We are also concerned over the rocket attacks into Israel. But it is still important that, in taking stock of the past year, the international community be able to make some important observations.

Russia is pleased with the results of the ministerial meeting of the Quartet that took place on 15 December and its declaration, and Council resolution 1850 (2008), adopted on 16 December. We are grateful to those Member States of the Security Council that supported this resolution, drafted by the Russian Federation and the United States. In both documents, we see set forth the primacy and the irreversibility of the peace process in the Middle East, which was designed to ensure the existence of two States, Palestinian and Jewish, living in good-neighbourliness, peace and security. We are convinced

that the parties must continue their painstaking work in seeking mutually acceptable solutions to all essential items on the bilateral agenda.

We cannot allow the political process in the region to stall. Therefore, the Quartet and the Security Council have reaffirmed their commitment to continue and intensify joint efforts, which include regard for the recently reaffirmed Arab Peace Initiative, which was designed to establish the best possible atmosphere for continuing the Arab-Israeli dialogue on all tracks in 2009.

It is incumbent upon the international community, and particularly the Quartet, to help to ensure that the negotiation process continue without interruption. Russia unswervingly upholds a policy that favours the Quartet's consistent fulfilment of the mission for which it was in fact created.

The Quartet must energetically tackle the issues of the establishment of a just peace and security in the region, especially in the current serious circumstances. We will in future try to enhance the effectiveness of the Quartet and to support the efforts of Special Representative Blair and the development of its close cooperation with the League of Arab States in finding a comprehensive Arab-Israeli settlement, including the organization of an international conference on the Middle East in the capital of Russia in 2009.

One of the priority issues in the context of a Middle East settlement is the restoration of an intra-Palestinian agreement on the basis of the observation of the criteria set forth by the Quartet. That and other urgent issues related to progress in the peace process in the Middle East will be discussed in the course of the forthcoming visit to Moscow of the President of the Palestinian Authority, Mr. Mahmoud Abbas.

Russia firmly and energetically supports the efforts of the President of Lebanon and the Government of National Unity to strengthen agreement, State institutions and the constitutional order in that country on the basis of a dialogue between the leading political forces and the ethnic and religious communities. We are prepared to continue to promote the strengthening of the sovereignty, unity and territorial integrity of Lebanon, and also its peaceful, democratic and crisis-free development, which is in the interest of the Lebanese and the Middle East region as a whole. In fact, these ideas were imparted during a recent to visit to Moscow by the Lebanon's Defence Minister, Mr. Elias Al-Murr, with whom there was also discussion of issues of further development of cooperation between our countries.

Mr. Natalegawa (Indonesia): I wish to begin by joining previous speakers in thanking Mr. Robert Serry, the United Nations Special Coordinator for the Middle East Peace Process, for his important briefing. We welcome the convening of this open debate, which provides the opportunity for the general membership of the United Nations to express its views on an issue of great importance.

Despite many critical developments on the ground that have taken place in the region, the Security Council has, in the past few years, been fraught with silence in response to the Middle East conflict. It is our fervent hope that the adoption of resolution 1850 (2008) two days ago will signal the new beginning of a Council being able to assume its Charter-mandated responsibilities with respect to the situation in the Middle East.

Once again, as the parties proceed in their negotiations, we wish to underscore the need for the critical challenges on the ground to be urgently addressed.

The situation in the Gaza Strip and the West Bank remains a matter of profound concern. The humanitarian consequences of the Israeli siege of the Gaza Strip and the closures of the Gaza crossings have been grave and intolerable. The briefing by the Special Coordinator just now chronicled the sufferings endured by the civilian population in the Gaza Strip. The siege must be lifted immediately in order to allow the civilian population in Gaza to have access to water, employment, commerce, medical treatment and education — essentially, access to their basic needs. It is also imperative that the Egyptian-brokered maintenance of calm in the Gaza Strip and southern Israel be maintained.

Steps that could undermine confidence or prejudice the outcome of negotiations must be stopped and reversed. It is critical that any actions, activities or statements that could undermine or hamper the peace efforts be avoided. In that connection, Israeli settlement activities in the West Bank, including East Jerusalem, that contravene international law and the principles of the inadmissibility of the acquisition of territory by force must end. The construction of walls on Palestinian land, which is in contrary to the

Advisory Opinion of the International Court of Justice, must cease and the walls be removed.

We draw some encouragement from the recent release of 227 Palestinians by the Israeli authorities. However, my delegation remains concerned over the fate of thousands of other Palestinians still imprisoned by Israel and calls for their similar release.

Ending the Israeli occupation of Palestinian territory and the creation of an independent, viable and democratic Palestine are central to the creation of peace in the region. In anticipating the creation of a Palestinian State, we underline the importance of international assistance to the institution-building activities in Palestine, including facilitating economic development through an improvement of conditions on the ground.

My delegation also cannot overemphasize how incredibly important unity among Palestinians is. We support all efforts to achieve that end. We are aware that the inter-Palestinian dialogue planned for November was postponed and has been rescheduled for December 2008. We are hopeful that the dialogue can be fully implemented as planned.

We recognize the vital role that Quartet has been playing in the promotion of solutions to the conflict in the Middle East that are acceptable to all parties. We welcome the regular consultations among the Quartet principals, including the recent meeting in New York. My delegation also commends the League of Arab States and individual countries in the region for their important contributions to the Middle East peace efforts. We attach particular importance to the Arab Peace Initiative.

With regard to Lebanon, my delegation welcomes the overall political stability in the country as the new unity Government continues to function. We attach primary importance to the continued efforts to promote dialogue and reconciliation involving all Lebanese factions across political, religious and ideological lines.

We look forward to the implementation of the 15 October 2008 agreement between Lebanon and Syria on formalizing the diplomatic relationship between the two countries. My delegation also underlines the importance of the indirect talks between Israel and Syria. Israel is called upon to fully comply with all the relevant Security Council resolutions relating to the Lebanese and Syrian tracks.

The Middle East conflict has endured for far too long, and ending it warrants our serious efforts. My delegation consistently believes that finding a peaceful, just, lasting and comprehensive settlement to the Middle East conflict is of primary importance. Indonesia will remain committed to its role and contribution, within and beyond the Security Council, to the efforts to attain comprehensive and sustainable peace in the region, based on the relevant Security Council resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), the Madrid terms of reference and the principle of land for peace.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): First I wish to thank Mr. Serry for his briefing.

The Chinese delegation welcomes the convening of this open debate. The Security Council has just held, on Tuesday of this week, a ministerial meeting on the situation in the Middle East, at which it adopted resolution 1850 (2008). At that meeting, China's Vice Minister for Foreign Affairs, Mr. He Yafei, fully set out the position and views of the Chinese Government (*see S/PV.6045*). Today I shall just stress the following four points.

First, China welcomes the Council's adoption of resolution 1850 (2008). At a time when the Middle East situation is at a crucial juncture and faces many uncertain elements, the resolution sends a strong and clear signal for maintaining the momentum of political negotiations on the question of the Middle East. That demonstrates the Council's determination to push for a lasting peace in the Middle East and its firm support for political negotiations between Palestine and Israel. It also reflects the broad consensus in the international community in support of the peaceful coexistence of two States, Palestine and Israel. We are confident that the resolution, together with other relevant Council resolutions, will become part of the legal framework for a just solution of the Middle East question.

Secondly, we support the view expressed by some countries that what is more important than the actual adoption of the resolution is to ensure that it is implemented. Israel and Palestine should live up to the expectations of the international community by persevering in and intensifying the political negotiation process, as is called for in the resolution. We expect

both sides to overcome any obstacle to ensure that the negotiating process is irreversible.

The Council also faces tests in that regard. The Council should play its due role on the question of the Middle East, especially in ensuring that its resolutions are respected and implemented. We hope that the Council will be more active in supporting the negotiating process between Israel and Palestine. We also hope that the Quartet will further strengthen communication and coordination with the Council.

Thirdly, efforts to push for political negotiations should be accompanied by efforts to improve the situation on the ground and to strengthen the Palestinian capacity. We urge Israel, as the occupying Power, to take responsible action on the matter of settlements. We are concerned at the plight facing the Palestinian population in the West Bank and Gaza. We call on the international community to continue to provide Palestine with assistance, including humanitarian, development and technical assistance. In Gaza the immediate task is to ensure that the period of calm is respected and extended. In the longer term, the more important task is to vigorously seek ways to strengthen the internal unity of Palestine.

Fourthly, a lasting peace in the Middle Ease is by necessity a comprehensive peace. Achieving peace between Syria and Israel, and between Lebanon and Israel, is an important component of the Middle East peace process. We expect Syria and Israel, and Lebanon and Israel, to improve their relationships through peace negotiations. We call on the international community to exert greater diplomatic efforts in that regard. The Arab Peace Initiative of 2002 has further, untapped potential. We expect the League of Arab States and the countries of the region to play an important role in pushing for a solution of the Middle East question.

Mr. Weisleder (Costa Rica) (*spoke in Spanish*): My delegation wishes to thank you, Mr. President, for convening this open debate. We also wish to thank, as other delegations have done, the Special Coordinator for the Middle East Peace Process, Mr. Robert Serry, for presenting his report, and the representatives of Israel and Palestine for their statements.

The Security Council's consideration of the situation in the Middle East in 2008 culminated in the adoption of resolution 1850 (2008). We hope 2009 will bring the results that many of us had hoped for in 2008, and that the Council will be preparing to become an effective part of the solution to the Israeli-Palestinian conflict.

Costa Rica believes that it is the parties' responsibility to implement the provisions of the resolution. Full compliance with Security Council resolutions and international law, in particular international humanitarian and human rights law, as well as with the outcome of the Madrid Conference, the principle of land for peace and the Arab Peace Initiative is the right way to consolidate an independent, democratic and viable Palestinian State living side by side with Israel in peace and security.

In this time of political transition, we can only continue to support the bilateral negotiation process between senior authorities of Israel and Palestine so that they can agree on the core issues in the context of genuine and constructive negotiations. We must therefore isolate and weaken extremists wherever they may be.

I reiterate Costa Rica's conviction that there is a strong link between political prospects for peace and the socio-economic and humanitarian situation on the ground. Only yesterday, we were told that crossings between Gaza and Israel remain closed. Costa Rica understands Israel's concern for its own security, and in that respect has appealed emphatically for an end to the rocket and mortar attacks on southern Israel. We also vigorously condemn any statement undermining Israel's existence as a State or threatening its right to exist. It is nevertheless unacceptable that Israel should cite its valid security concerns to justify measures that indiscriminately effect an entire people, in contravention of international humanitarian law.

My delegation takes this opportunity to urge the parties to extend the fragile calm achieved in Gaza and southern Israel thanks to the good office of Egypt, which has played a very constructive role in this matter. Costa Rica welcomes Israel's recent release of 227 Palestinian prisoners, which we believe represents a gesture of support for President Abbas and for those who, like him, distance themselves from all unproductive extremism and are working hard to achieve a stable and sustainable peace in the Middle East. The international community must support and strengthen the voices of moderation in Israel, Palestine and the wider region calling for the building of peace, and not those that clamour for war and violence.

We remain optimistic that we shall see the renewal of indirect peace talks between Israel and the Syrian Arab Republic in 2009, under the auspices of Turkey and in a climate of positive and constructive discussion. We therefore hope that senior officials of those countries will begin direct conversations that will help to build a bridge leading to a comprehensive solution encompassing all aspects of the question of the Middle East.

With respect to Lebanon, Costa Rica hopes that the parties will continue to demonstrate political will fully to implement resolutions 1559 (2004) and 1701 (2006). We also hope that the Special Envoys of the Secretary-General will pursue their ongoing consultations with Governments that can persuade the Lebanese and non-Lebanese militias in Lebanon to cooperate peacefully in the disarmament process.

In conclusion, Costa Rica expresses the hope that 2009 will be the year that reveals the truth of the adage that the night is always darkest before the dawn.

Mr. Kumalo (South Africa): Two days ago, this Council, after almost five years, finally adopted a resolution on the situation between Palestine and Israel. At that meeting, my delegation acknowledged that the resolution that we adopted was not perfect because it ignored many significant issues that this Council must address. These include the continuing illegal settlement activity in the Palestinian territories, including Jerusalem. The siege of Gaza continues. In Hebron, Israeli settlers have attacked Palestinian homes and farms. Violence against Palestinian and Israeli civilians has not ended.

However, what the resolution did was to remind the parties of their previous undertakings and to recommit them to the obligations that they had previously undertaken. Palestinian and Israeli leaders alike have already committed to what they see as the final outcome of their negotiations — a settlement that will result in the emergence of an independent, democratic and viable Palestinian State living side by side in peace and security with Israel and its other neighbours. That settlement will resolve the Israeli-Palestinian conflict and end the occupation that began in 1967. That commitment has been made in the past and continues to be the basis of the current negotiations.

New declarations and undertakings are no longer required. What remains is the need to implement the steps taken to reach such a settlement — a settlement that will be based on the undertakings of the parties, their neighbours and the international community, such as the Arab Peace Initiative. It is thus imperative that both sides ensure that their actions and pronouncements be calculated to advance the quest for peace. Unjustified and illegal acts by Israel — such as its siege of Gaza; continued incursions into the West Bank and, recently, in Gaza; and the expansion of illegal settlements, military checkpoints and the separation wall — contribute to the continuing cycle of violence.

We recognize the legitimate security concerns of Israel, but we do not condone the disproportionate use of force to achieve that security. Israel's right to self-defence does not entitle it to violate the rights of innocent civilians, particularly those who have been living in inhumane conditions under its military occupation for more than 40 years.

As we said two days ago, the resolution we adopted will face two crucial tests. The first will be whether the parties will implement its provisions; the second test will be for the Council to ensure that its resolutions are implemented. If its resolutions should be ignored, that would further erode the credibility of this Council.

Mr. Arias (Panama) (*spoke in Spanish*): At the outset, allow me to thank you, Sir, for having convened this meeting. I also thank the Ambassadors of Israel and Palestine for their respective statements. I further thank Special Coordinator Serry for his consistently comprehensive and balanced reports.

Panama has stated on various occasions and reiterates today that even though a solution to the conflict in the Middle East, in particular the conflict between Israel and Palestine, may not necessarily lead to the resolution of all other conflicts in the world, it is nevertheless true that unless that conflict is resolved with agreement among the parties, the conflicts in the rest of the world are unlikely to be solved.

Likewise, we have said and we repeat today that the framework of a peace agreement between Israel and Palestine is generally well known and supported by a large part of the international community, as reflected at the Annapolis conference. That framework includes the existence of Israel and Palestine as two economically and politically viable States living side by side and with their neighbours in peace and

security; the return to the borders of 1967, except in the case of a specific agreement between the parties; and West Jerusalem as the capital of Israel and East Jerusalem as the capital of the Palestinian State. Furthermore, it will be necessary to reach agreement on the future of Palestinian refugees and the use and exploitation of natural resources in the region, in particular water.

However, if that agreement is to be successful, the parties must achieve the following as soon as possible, if not immediately. The Palestinians must reach a political agreement among themselves that would make it possible to consolidate a single and sustainable Government structure for the whole Palestinian territory. The Israelis must suspend the construction of illegal settlements in the occupied territories and begin removing those settlements, whose existence is unjustifiable and clearly violates international law. Extremist Palestinian groups must stop their acts of violence against innocent Israeli civilians. The Palestinians and the Arab countries must give Israel the necessary and reliable guarantees of its security as a State. Until those conditions are met, the peace efforts in the Middle East are bound to fail.

In that regard, Panama reiterates once again its deep concern at and condemnation of the situation of the people of Gaza under the Israeli blockade of that territory. We condemn equally strongly the terrorist attacks on the Jewish people by extremists based in the Gaza Strip. We recognize the State of Israel's inherent right to self-defence in accordance with the Charter and international law, in proportion to the threat and in full respect of the human rights of the innocent civilian population.

In conclusion, we trust that those who believe that neither the Palestinians nor the Israelis wish or are able to reach a peace agreement are wrong.

Mr. Bui The Giang (Viet Nam): I join previous speakers in thanking Mr. Robert Serry for his informative and detailed briefing.

As the Council is reviewing a month that saw a wide array of developments across the region, my delegation recognizes the commitment of Palestine and Israel to carrying forward bilateral negotiations into 2009, the strengthened efforts of the Palestinian Authority in preparation for statehood, the recent decision of Israel to evacuate illegal settlers from Hebron and release more than 200 Palestinian prisoners, and the continued cooperation between both parties in enhancing the rule of law and security sector reforms in Jenin.

We take note of the affirmation by the Quartet in its statement of 15 December 2008 that a final treaty and a lasting peace would be reached through simultaneous and mutually re-enforcing efforts on the basis of peaceful negotiations, the institutional building of a Palestinian State and the implementation of the obligations of both parties under the Road Map and the Annapolis joint understanding.

We welcome resolution 1850 (2008), adopted two days ago by the Council, the first resolution on the situation in the Middle East after a gap of almost five years. We consider it, despite its understandable imperfections, a good basis on which all relevant parties can overcome setbacks and achieve further concrete results. Thus, if and when the resolution is strictly implemented, it will contribute practically to realizing the vision of an independent, viable and sovereign State of Palestine, living side by side and in peace with Israel and the wider Middle East, whose constituent nations remain at peace with each other and with the world at large.

An honest assessment of the current situation regrettably reveals the extent of obstacles ahead. My delegation fully shares Mr. Robert Serry's recognition of and grave concern over the many problems still prevailing in the region. In that context, it is our view that the success of the peace process will require prompt effort by the international community to rectify the aggravating situation in the occupied Palestinian territory and commit Israel to its obligations under the Road Map and related provisions of international law, including, inter alia, an immediate end to all settlement activities, the removal of obstacles to freedom of access and movement, and the reopening of border crossings to end the humanitarian crisis in Gaza.

The parties concerned must also refrain from any act that may vitiate the atmosphere for a result-oriented dialogue based on mutual confidence and trust, and explore every possible way to maintain constructive negotiations so as to arrive at a just and sustainable solution in keeping with resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008), the principle of land for peace, the Arab Peace Initiative, the Road Map and the other agreements that have been concluded.

While the resolution of the six-decade tragedy of Palestine would have a profound impact on the situation in the Middle East, peace in the region also requires forward movement on the other axes of the peace process. In that regard, we commend regional efforts facilitated by Turkey to re-energize the Syria-Israel track and those to resume good-faith negotiations on the Syrian and Lebanese tracks. We call upon the international community to support in the coming months the positive steps taken by the Lebanese Government to fully assert authority over its territory and to promote the national course of reconciliation, political stability, socio-economic development and regional and international integration.

We urge all the parties concerned to strictly observe resolution 1701 (2006), put an end to those acts that may further complicate that process, including the targeted attacks against Lebanese civilians and personnel of the United Nations Interim Force in Lebanon, violations of Lebanese airspace, the continued detention of prisoners and the unresolved status of the Shab'a Farms. While we know that much remains to be done, at the same time we have confidence in the wisdom and determination of the Lebanese people and in the cooperation and assistance of the United Nations, the Quartet, the League of Arab States, regional countries and the international community in ensuring that the tragic past of Lebanon is never repeated.

The President: I shall now make a statement in my capacity as the representative of Croatia.

Today's meeting comes at the end of an eventful year marked by a number of encouraging developments in the Middle East. Croatia joined the Council at a time that was marked by renewed hope for reaching comprehensive peace in the Middle East. Under strong United States leadership, we have witnessed the development of a comprehensive, direct and result-oriented Israeli-Palestinian negotiation process within the framework set out in Annapolis a year ago.

The parties have built a solid framework for negotiations and have direct, serious and substantive talks regularly and at all levels. We applaud their unwavering commitment to peace.

On the regional front, important regional tracks have opened between Israel and Syria and between Syria and Lebanon. In Lebanon, the adoption of the Doha Agreement led to developments that hold the promise of a renewed era of democracy, genuine national reconciliation and stabilization.

A series of high-level meetings this week reaffirmed the international community's commitment to the shared goal of a two-State solution and lasting peace in the Middle East. Two days ago, the Council adopted resolution 1850 (2008), an important benchmark in the peace process that endorsed those achievements and expressed support for the irreversibility and continuation of the Annapolis process and its guiding principles. To complement that process, it also urges an intensification of efforts to foster mutual recognition and peaceful coexistence in the region.

The resolution came at a critical point when all efforts should be channelled into preserving momentum and establishing an environment that will enable the parties to continue to build on the progress achieved while being guided by the principles and the mutual understanding reflected in resolution 1850 (2008) and in the Quartet's statement of 9 November 2008.

We recognize the challenges that the parties face on their journey, even more so now as they embark upon a sensitive period of political transition. We understand that the political and diplomatic processes remain inextricably linked with the situation on the ground, and hope to see tangible changes in accordance with the obligations to which both parties have committed themselves under the Road Map and reaffirmed in Annapolis.

The deterioration of the humanitarian and security situation in Gaza and the renewed rocket attacks on southern Israel, including dozens this week alone, which have an impact of the activities of United Nations agencies and humanitarian assistance operations, remain a serious concern.

Furthermore, we understand that development and peace are mutually reinforcing and that economic development is an essential part of a lasting solution. That is why the continuing international engagement remains critical, to stimulate both Palestinian economic renewal and the reform processes, notably in the sphere of security and the rule of law. We hope to see the success of Jenin, Nablus and Hebron replicated elsewhere. The ability of the Palestinian Authority to build credible institutions and a security infrastructure that is willing and able to combat terrorism and other

threats is both an essential element of Palestinian State-building and a legitimate expectation on the Israeli side.

While respecting the integrity of the bilateral negotiations, we should not forget the regional dimension of the process. The efforts of responsible regional partners to secure just, lasting and comprehensive peace in the Middle East, including the Arab Peace Initiative, are a valuable complement to the ongoing peace process.

In many of its aspects, the Arab-Israeli conflict remains a defining conflict of our time. Tensions in the region reverberate globally. That makes the irresponsible and threatening rhetoric coming from the Iranian leadership all the more alarming.

In conclusion, I would like to reiterate our belief in the ongoing peace process. To quote Prime Minister Ivo Sanader of Croatia and others, this is the best chance we have. The parties have set into motion a momentum that we cannot afford to lose. They deserve our full support on their journey. We have a clear shared goal to turn into reality the vision of two States, a democratic and peaceful Palestine living side by side with a democratic and secure Israel, and to advance the momentum towards just, lasting and comprehensive peace in the Middle East.

I now resume my functions as President of the Council.

I give the floor to the representative of the Syrian Arab Republic.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): At the outset, I would like to express my gratitude to you, Mr. President, for presiding over the Security Council this month. I would also like to thank the Permanent Representative of Costa Rica and all the members of his delegation for having guided the work of the Council last month with great skill and wisdom. I also wish to thank Mr. Robert Serry, United Nations Special Coordinator for the Middle East Peace Process, for the briefing he has given us.

Syria has chosen peace as a strategic option and has expressed its readiness to achieve it since its participation in the Madrid Conference, 17 years ago. We did so also in the run-up to the 2002 Arab summit in Beirut, which launched the Arab Peace Initiative. That Initiative illustrates the clear desire of Arab States to achieve peace once Israel demonstrates genuine readiness to comply with the just peace requirements, including by withdrawing from all occupied Arab territories to the 4 June 1967 lines and enabling the establishment of an independent Palestinian State, with Al-Quds as its capital.

At the Arab summit held in Damascus on 29 March 2008, Arab leaders reiterated the need to achieve a just and comprehensive peace in the Middle East on the basis of resolutions of international legality, the Arab Peace Initiative and the principles of the Madrid Conference. The Council may recall that, when the Arab Peace Initiative was launched in Beirut in 2002, Israel's response was to invade the West Bank and to carry out massacres in and lay siege to Jenin and Nablus, while also killing unarmed Palestinian women and children, desecrating places of worship and implementing a scorched-earth policy, in addition to detention and collective punishment.

Israel has continued to build settlements despite the repudiation of the international community. It is also continuing construction of its apartheid wall of separation on occupied Palestinian territory, in blatant disregard of the advisory opinion of the International Court of Justice. Having lately and abruptly discovered its virtues, Israel also responded to the Arab Peace Initiative by brazenly attacking Lebanon in the summer of 2006 in an attempt to undermine all efforts at peace. Israel has also continued to reject calls to withdraw from occupied Arab territories, including the Syrian Golan, while increasing settlement activities therein.

As we meet again today, the entire world is witness to what Israel, the occupying Power, is doing to the Palestinian people in Gaza and the West Bank: imposing a siege, causing hunger and starvation, destroying property, carrying out extrajudicial killings, detaining Palestinians and forcibly displacing them at a rate unprecedented in modern history. It is doing so through its use of organized State terrorism against unarmed Palestinians. Before the eyes of the occupying Power, settlers continue to attack Palestinians, Muslim and Christian alike, as well as their holy places.

On 25 November 2008, on the instructions of the President of the Syrian Arab Republic in his capacity as chair of the Arab summit in Damascus, the Minister for Foreign Affairs of Syria sent identical letters to the Secretary-General and the President of the Security Council calling on the United Nations to assume its responsibilities with regard to Israel's inhuman and

immoral actions in Gaza. The Minister recalled that Israel's siege of the Gaza Strip, including the complete closure of all crossing points, is a collective threat to the lives of Palestinians that has led to a grave deterioration of all aspects of life in the Gaza Strip, including the humanitarian situation, thereby increasing the suffering of Palestinians. That collective punishment includes the cutting off of potable water, electricity, food, medical supplies and fuel; and has led to an increase in poverty, hunger and unemployment. Despite the efforts of the Secretary-General and his repeated calls to the occupying Power to put an end to such practices, it has not yet responded.

Thus, my country, the Syrian Arab Republic, stated in its message to this Council that it looks forward to immediate measures to be taken by the Council to address this humanitarian crisis, which is no less dangerous than other humanitarian catastrophes. The United Nations should act quickly in this crisis and pressure Israel to open the crossing points immediately.

The Syrian Arab Republic would like once again to reiterate its continuous and firm support for the right of the Palestinian people to the restoration of their occupied territory and to the establishment of an independent Palestinian State, with Al-Quds as its capital. The Syrian Arab Republic emphasizes the importance of restoring Palestinian national unity through national dialogue and reconciliation in order to strengthen the Palestinian negotiating position, support the will of the Palestinian people and end Israel's attempts to attack the Palestinian people and their aspirations. The Syrian Arab Republic, as chair of the Arab summit, is attempting to achieve that.

Israel continues, as the Council knows, its occupation of the Syrian Golan, flouting international law and resolutions, including resolution 497 (1981), which declared Israel's decision to annex the Syrian Golan as null and void and having no legal merit. Israel continues to disregard General Assembly resolution 62/85, which states that the ongoing Israeli occupation and annexation of the Syrian Golan as a fait accompli hamper the achievement of a just and comprehensive peace in the region, and calls on Israel to withdraw fully from the occupied Syrian Golan to the lines of 4 June 1967, in implementation of the relevant United Nations resolutions.

Israel continues to plunder the natural resources of the Golan, including its water resources, and to plant mines, which have led to 589 injuries, including 17 to children. Israel, the occupying Power, continues to bury nuclear waste in our occupied Golan.

We have identified these important and serious issues to the various specialized United Nations agencies, and we are still waiting for those agencies to take the necessary action, in keeping with their core mandates under the United Nations Charter.

It seems to us that the clearest possible expression of the truth, as stated by President Bashar Al-Assad, is that peace is not the major preoccupation of the Israeli Government. Its major preoccupation is security, in its narrowest sense: their security, which cannot be achieved, from their point of view, except at the expense of our rights and our security. It is unacceptable and illogical that we, the Arabs, should be called upon to provide evidence of our desire for peace, despite the fact that we have proclaimed it repeatedly and called for it on many occasions, in particular since the holding of the Madrid Conference in 1991. It is time for the Israelis to provide evidence of their desire for peace, to express, through their actions, their readiness to bring about peace and to convince us, the Arabs, of that readiness. The Israelis are the ones who are occupying our territory, committing aggression against our people and displacing millions of our people, and not the other way around. They undertake all these actions, and then they ask for protection and guarantees and use these as a smokescreen in order to pursue their extortion and obtain more concessions from us.

Despite all of this, the withdrawal of Israel from our occupied Syrian Golan to the 4 June 1967 lines and the achievement of peace is a national priority for the Syrian Arab Republic. We have therefore entered into indirect talks with Israel, through Turkish mediation, which we are thankful for. We would have liked to have agreed on a basis to start direct negotiations under the auspices of multiple international partners, but the matter requires an American will to make peace in the Middle East one of its top priorities. The United States must abandon the deliberate disregard and neglect that have been its practice for nearly seven years and led to the deterioration of the situation in the region.

Worse still, the United States occupation forces in Iraq committed an aggressive act against the Syrian Arab Republic on 26 October 2008, targeting a civilian building in the town of Abu Kamal. Labourers inside

the building were shot, eight Syrian civilians were killed and one was injured. This aggression was unjustified and constitutes a serious violation of Syrian sovereignty and of the principles and purposes of the United Nations Charter. It demonstrates the insistence of the current United States presidency to pursue its policies until the last day of its administration. Those policies have led to nothing but death and destruction in the region and have only contributed to the rise of tensions, destabilization and chaos there.

The Syrian Arab Republic, which upholds international law, has appealed to the United Nations and the Security Council in particular to shoulder their responsibilities to prevent the repetition of this serious violation and to lay the responsibility for the killing of innocent Syrian civilians squarely on the aggressors in order to maintain security and stability in the Middle East.

Developments in the Middle East require the Security Council to assume its responsibility to maintain international peace and security, restore occupied territory to its legitimate owners and stop the Israeli aggressors from achieving their objectives. That is the only way to bring about a just and comprehensive peace in the Middle East and to restore stability to that very important part of the world.

In conclusion, I believe that the representative of Israel has today once again used the forum of the Security Council to falsify the facts concerning the Israeli practices of organized State terrorism over the decades in the region. The representative of Israel believes falsely that by including the name of my country in her statement, she can divert attention from the root cause of the problem of violence and terrorism in our region, which is the Israeli occupation of Arab territories and the crimes against humanity that have been perpetrated by successive Israeli Governments against the unarmed people of Palestine in their occupied land, as described by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk. The whole world knows that Israel is imposing an unjust siege and carrying out a sadistic and pathological holocaust against more than 1.5 million people in Gaza and a similar number in the West Bank. The occupying Israeli authorities have done nothing to stop the aggressive terrorist attacks committed by Israeli settlers against the Palestinians in Hebron and in other parts of the West Bank. Despite all of this, the representative of Israel tells us that the evacuation of one house of those hooligan settlers in Hebron is a great accomplishment that rises to the level of inventing the wheel or even landing on the surface of the moon.

The President: I now give the floor to the representative of the Lebanese Republic.

Mr. Salam (Lebanon) (*spoke in Arabic*): Today, we meet once more for the monthly briefing of the Security Council on the situation in the Middle East and primarily the question of Palestine. The most significant aspect of our meeting today is that the Council, after a long absence, acted to adopt resolution 1850 (2008) two days ago, which the Council has sought as a new framework for the negotiation track that started in Annapolis. The resolution was adopted despite its shortcomings, in the hope that it will provide the proper momentum.

It is important to note that the resolution mentions and reminds us of the main terms of reference for the establishment of a just and comprehensive peace in the Middle East, in particular the United Nations resolutions, the principles of the 1991 Madrid Conference and the Arab Peace Initiative, but, most importantly, it reactivates the role of the United Nations, and specifically the Security Council, in order to achieve the desired peace, a just and comprehensive peace. While we welcome the planned Moscow conference, we must also note that the resolution lacks a specific timeline for the achievement of peace and also lacks a clear call to put an end to Israeli occupation and a clear denunciation of Israeli practices against Palestinian civilians.

While the international community and the Group of Arab States, based on the Arab Peace Initiative, are seeking a political process that restores the land to its rightful owners and guarantees peace for everyone, Israel continues in the opposite direction. The situation on the ground provides ample evidence of that.

Israel allows continued construction and expansion of settlements. The number of new housing units in the settlements this year alone has grown by 3,000 units. Also, Israel continues its policy of confiscation of land and water resources in the West Bank. Israel continues its construction of the separation wall, in contravention of the advisory opinion of the International Court of Justice, and continues to

dismantle and divide the West Bank through hundreds of checkpoints and barriers.

Even more dangerous is the increased violence of settlers, as occurred, for example, in the bloody events in Hebron, where settlers burned houses and fired weapons at Palestinian civilians. All these practices are not only grave violations of international law, but also, and more specifically, of Israeli commitments under the Road Map.

In this context, we heard the recent statement by the Israeli Minister of Foreign Affairs, Tzipi Livni, where she brought to mind something similar to the policy of transfer. I would also mention the decision of the Israeli authorities to detain for 30 hours Mr. Richard Falk, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 and to remove him forcibly and prevent him from carrying out his mission as mandated by the United Nations itself. That is in addition to the continued blockade of Gaza and the subjection of its residents to the policy of collective punishment, which has been denounced internationally. The least that can be said of all of those practices is that they have escalated an already dangerous situation.

Israel continues to head in the opposite direction to peace, not only through its practices in Palestine and the continued occupation of the Golan, but also in my country. Despite the passage of more than two years since the adoption of resolution 1701 (2006), which ended the systematic destruction of Lebanese villages, infrastructure and civilian facilities in the summer of 2006, Israel continues its stubborn refusal to fulfil all its obligations under that resolution. It continues to violate the sovereignty of Lebanon. The total number of violations by Israel of Lebanese airspace over the last four months was more than 1,100 violations.

The Secretary-General of the United Nations has denounced those actions in paragraph 8 of his most recent report (S/2008/715) on the implementation of resolution 1701 (2006) and called them a violation of Lebanese sovereignty and of that resolution. We call for an immediate cessation of those violations. After the Lebanese Government had approved and accepted the proposal of the United Nations concerning the Israeli withdrawal from the northern part of al-Ghajar village, which gave Israel three months to respond, the response was to continue to violate Lebanese sovereignty and the contents of resolution 1701 (2006).

Also, the Shaba'a farms and the Kfar Shou Hills are still under Israeli occupation. It is time for United Nations, based on the provisional demarcati line determined by its own expert, to launch a n diplomatic initiative that allows the restoration of land to its rightful owners and puts an end to occupation. Additionally, Israel still refuses to provi maps showing the locations of millions of clus bombs that they dropped in South Lebanon, bombs t daily cause suffering and claim hundreds of victi including children.

Israeli officials continue to issue various thre against my country, including the statement of Israeli Prime Minister, in which he threatened destroy Lebanon, as well as statements by the Minis of Defence and military officials, which were subject of a letter from my Government to Secretary-General denouncing such statements challenges to the international community and work of the United Nations Interim Force in Leban (UNIFIL) in the area south of the Litani River.

The Council is well aware of Lebano commitment to and fulfilment of its internatio obligations, especially those emanating from resoluti 1701 (2006). The Lebanese army deployed forces the south and cooperates fully with UNIFIL, and have welcomed the recommendations of independent group for the evaluation of conditi along the borders. We continue with techni cooperation to strengthen monitoring mechanisms order to control the borders.

We have abided by the choice of a comprehens and just peace based on the Arab Peace Initiative. therefore choose to see the glass as half full, in form of the Security Council adoption of resoluti 1850 (2008). The Council now has the opportunity assume the role that we wish for it — the role actua required by the Charter of the Organization.

In the name of the peace that the people of region have longed for since the establishment of United Nations itself and in order for the Organizati to rise to the level of the legitimate expectations we have of the United Nations, we appeal to the Coun not to allow this new opportunity to become anot lost opportunity.

The President: I now give the floor to representative of Brazil.

Ms. Viotti (Brazil): I thank you, Mr. President, for convening this timely meeting. I also wish to thank the Special Coordinator for the Middle East Peace Process, Robert Serry, for presenting a thorough briefing on the situation in the region.

Brazil has long maintained close and multiple ties with countries and peoples in the Middle East. Approximately 10 million Brazilians find their roots in Arab lands, of which 6 to 7 million are the descendants of Lebanese or Syrian immigrants. The cooperation and friendship between my country and Israel, which dates back to the latter's creation, have also been recently strengthened. In Brazil, all communities live side by side in harmony and are fully integrated into society. We believe that this is also possible in the Middle East.

It is our shared history and the wealth of our political, economic and cultural relations with the Middle East that provide the foundation for our growing presence in and involvement with the region. Brazil was the first Latin American country to join the Arab League as an observer. In 2005, at the initiative of President Lula, the first South American and Arab Countries Summit was held in Brasilia, with a view to identifying and exploring synergies. The next summit will take place in Doha this coming March. In 2007, the Common Market of the South (MERCOSUR) signed a free trade agreement with Israel. It is this robust relationship with the Middle East that leads Brazil to contribute to international efforts designed to help Israelis and Palestinians end their conflict and to alleviate the plight of those living in the occupied territories. We attended the Annapolis conference, as well as the Palestinian Donors Conference in Paris a month later. On the latter occasion, we pledged $10 million, in addition to $3 million over three years, through the India-Brazil-South Africa Fund and offered enhanced technical cooperation to the Palestinian National Authority. We received over one hundred refugees from the Ruweished camp in Jordan, and only last week we disbursed a contribution of $200,000 for the Nahr el-Bared camp in Lebanon.

Brazil is convinced that there will be no peace in the Middle East before a just, lasting and comprehensive settlement of the Palestinian question is reached on the basis of the Quartet Road Map, the Madrid terms of reference, the principle of land for peace, the Arab Peace Initiative and relevant United Nations resolutions. We deeply regret that the Annapolis peace process will not be completed in the timeframe originally envisaged. However, we were encouraged by the Quartet's statement of 9 November, according to which the Israelis and Palestinians could set up "a solid negotiating structure for continued progress in the future". We were also reassured by the commitment of both parties to "vigorous, ongoing and continuous negotiations". This is crucial.

Brazil supports the Security Council in its commitment to the irreversibility of the bilateral negotiations, as stated in resolution 1850 (2008). The Council must ensure that such words are turned into deeds. The political leaders of Israel, the Palestinian Authority and the United States bear a special responsibility in assisting the Council in that formidable task.

We also join the Quartet's call for negotiations to be intensified. Brazil listened carefully to the resolution's call for all States to contribute to the negotiations and to the well-being of the Palestinians. Once again, we renew our readiness to cooperate fully and effectively with the parties and the international community.

It is imperative that Israelis and Palestinians fulfil their obligations under the performance-based Road Map, as stated in the Annapolis Joint Understanding. The parties must also refrain from any activity inconsistent with a future agreement based on the relevant resolutions of the Security Council. Settlement in the occupied territories must cease. It is also indispensable that all violence be stopped, including that committed by settlers. Humanitarian law must be strictly observed by all parties, in all cases.

We express our grave concern regarding the plight of Palestinians in the Gaza Strip. We support the Secretary-General's call that a steady and sufficient supply of fuel and humanitarian assistance be allowed into Gaza and that the work of the United Nations be facilitated. Not only are several such measures required under international law and existing political commitments but they are also needed to ease negotiations. The peace process will be greatly strengthened if substantial improvement occurs in the situation on the ground, including in the West Bank. As we have done in the past, we condemn the launching of rockets against Israel this week.

Progress must also be made on other crucial tracks on which efforts are under way to decrease tension and eventually reach a comprehensive solution

to the interwoven challenges to peace and security. Palestinian reunification is indispensable and we praise Egypt for its good offices in this domain. Dialogue and understanding between Israel and Syria are also necessities. We commend Beirut and Damascus for recent steps toward the normalization of bilateral ties.

Resolution of the question of Palestine has eluded the international community for simply too long. Our inability to address this challenge effectively has had a negative impact and made it even more difficult to solve other problems in the region. Years and years of failed attempts to bring peace and stability to the Middle East risk eroding the credibility of the entire international community, as recently recalled by former President Martti Ahtisaari. We need just, lasting and comprehensive results and we need them now. Brazil is ready to continue making its contribution.

The President: There are still a number of speakers remaining on my list for this meeting. I intend, with the concurrence of the members of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.05 p.m.

Security Council

Sixty-third year

Provisional

6049th meeting

Thursday, 18 December 2008, 3 p.m.
New York

President:	Mr. Skračić	(Croatia)
Members:	Belgium	Mr. Kenes
	Burkina Faso	Mr. Koudougou
	China	Mr. Li Kexin
	Costa Rica	Mr. Ballestero
	France	Mr. Kassianides
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Panama	Mr. De Vengoechea
	Russian Federation	Mr. Dolgov
	South Africa	Mr. Laher
	United Kingdom of Great Britain and Northern Ireland	Ms. Fawcett
	United States of America	Ms. Schedlbauer
	Viet Nam	Mr. Bui The Giang

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

08-66031 (E)

The meeting resumed at 3.10 p.m.

The President: I give the floor to the representative of Cuba.

Mrs. Núñez Mordoche (Cuba) (*spoke in Spanish*): I have the honour to address the Security Council on behalf of the 118 member States of the Movement of Non-Aligned Countries (NAM).

The situation of instability in the Middle East as a result of Israel's ongoing military occupation of the Palestinian territory and other Arab territories since 1967. It continues to be a matter of serious concern not only for the region but for the entire international community.

Since last year the situation has been further exacerbated by Israel's continued pursuit of illegal policies and practices, including incessant military attacks against Palestinian civilians and properties, continuing construction of settlements and the Wall in the occupied Palestinian territory, including East Jerusalem, and continued imposition of all forms of inhumane and unlawful measures of collective punishment on the Palestinian civilian population, particularly in the Gaza Strip. The Syrian Golan is still occupied, and the situation in Lebanon remains complex.

The Non-Aligned Movement has repeatedly called on the Security Council to assume its responsibilities and exercise its authority, in accordance with the Charter, to address the situation in the occupied Palestinian territory, where the Palestinian people have continuously suffered under Israel's brutal military occupation of their land since 1967 and where their fundamental human rights, including the right to self-determination and the right of the Palestine refugees to return, have been denied since 1948.

NAM is very much aware of the great negative impact of the Israeli-Palestinian conflict and the Arab-Israeli conflict on peace and security. Thus, bearing in mind Security Council resolution 1850 (2008), adopted just two days ago, NAM calls upon the Council to actively follow up and implement this resolution and reiterates its call for the implementation of all of the Council's relevant resolutions, which would contribute greatly to the achievement of a just, lasting and comprehensive peace.

The Movement emphasizes that the primary impediment to the exercise of the inalienable national rights of the Palestinian people and to the achievement of the two-State solution for peace continues to be Israel's campaign of unlawful settlements. That campaign has included the vast confiscation of land, the construction and expansion of settlements, the transfer of settlers, the construction of the Wall, the construction of bypass roads that only Israelis may use and the imposition of a permit regime and other severe restrictions on movement in the occupied Palestinian territory, including East Jerusalem.

NAM reiterates its strong condemnation of all illegal Israeli settlement activities and measures, including in and around occupied East Jerusalem and in the Jordan Valley, which are aimed at illegal de facto annexation of more Palestinian land. NAM calls for the immediate, complete cessation of all such illegal acts and for Israel's compliance with all of its obligations under international law and relevant United Nations resolutions and full respect for its commitments in this regard in the context of the peace process.

In this connection, NAM also expresses its great concern at the rising incidence of acts of violence, harassment and intimidation by Israeli settlers against Palestinian civilians, their properties and agricultural land, and calls on the occupying Power to take all necessary measures to put an end to settler violence and lawlessness and to hold the perpetrators of crimes against Palestinian civilians accountable for their actions.

The deplorable recent events in Hebron — where extremist Israeli settlers set fire to Palestinian homes and orchards, shot at Palestinian civilians and desecrated Palestinian mosques and graves — illustrate the real danger of the illegal presence of Israeli settlers in the occupied Palestinian territory and their destructive impact on the prospects for achieving peace, security and stability.

NAM also condemns Israel's continuing unlawful construction of the Wall in the occupied Palestinian territory, including in and around East Jerusalem, in flagrant challenge to and disrespect of the Advisory Opinion of the International Court of Justice and in violation of the General Assembly resolution ES-10/15 of 20 July 2004, which affirms the illegal character of the construction of the Separation Wall and called for its cessation and dismantlement.

The Movement of Non-Aligned Countries is deeply concerned by the huge physical, economic and social devastation caused by such illegal and destructive Israeli colonization practices, which are dividing the occupied Palestinian territory into separate, walled-in enclaves and isolating East Jerusalem from the rest of the territory, completely undermining the unity, integrity and contiguity of the Palestinian territory. They are destroying entire communities, displacing thousands of Palestinian civilians and isolating tens of thousands more Palestinians in isolated cantons. NAM reiterates its demand that Israel, the occupying Power, scrupulously comply with its obligations as reflected in the Advisory Opinion and with Assembly resolution ES-10/15.

In flagrant violation of international law, and despite commitments made in the context of the Middle East peace process and agreements reached therein, and in total contradiction to the spirit and goals of this renewed peace process, Israeli has actually escalated such illegal activities recently, seeking to advance its attempts to alter the demographic composition, character and status of the occupied Palestinian territory, including East Jerusalem, and to impose an illegal unilateral solution.

The Movement of Non-Aligned Countries submitted two letters to the President of the Security Council, urging the Council to seriously address this critical issue, including through the adoption of a resolution. Regrettably, once again, the Council failed to act, despite the firm position it had adopted in previous resolutions on the issue of illegal settlements in the occupied Palestinian territory. It remains unable to implement its own resolutions.

NAM reiterates its condemnation of all of Israel's illegal settlement activities in the occupied Palestinian territory, including East Jerusalem, and stresses the dangers of such continuing illegal and unilateral Israeli measures. The international community, including the Security Council, should undertake the necessary actions to compel Israel, the occupying Power, to abide by international law and to immediately and completely stop all settlements and the construction, expansion and planning of the Wall in the occupied Palestinian territory.

At the same time, NAM remains gravely concerned by the appalling humanitarian crisis in the Gaza Strip as a result of Israel's punitive blockade of the area in collective punishment of the Palestinian civilian population. The occupying Power continues its closure of all border crossings of the Gaza Strip, obstructing the movement of persons and goods, including the delivery of vital humanitarian assistance such as food, medicines, fuel and other basic materials, which all remain in short supply. Israel even continues to hamper the work of the United Nations agencies that are trying to provide desperately needed aid to the Palestinian people, who are facing rising poverty, hunger and disease as a result of this cruel siege.

Such illegal Israeli measures must be vigorously condemned. The international community must act to bring an end to this siege of the Gaza Strip to allow for the free movement of persons and goods in order to alleviate the humanitarian crisis being endured by the Palestinian people. In addition, the international community must insist that the occupying Power abide by all its obligations under international law, including humanitarian and human rights law, with regard to the Palestinian civilian population under its occupation.

The Government of Lebanon has continuously endeavoured to stabilize the situation on its territory following Israel's ruthless aggression and serious violations against the territorial integrity and sovereignty of Lebanon. The Non-Aligned Movement once again expresses its satisfaction at the measures taken by the Lebanese Government to implement resolution 1701 (2006). The Movement also welcomes the deployment of the Lebanese Armed Forces along the northern and eastern borders of Lebanon to ensure security and stability there.

NAM remains deeply concerned by Israel's continuing land and air violations of the Blue Line, in contravention of resolution 1701 (2006). We strongly urge Israel to put an end to the occupation of the northern part of Ghajar, on the northern side of the Blue Line, and to immediately refrain from any violation of Lebanese sovereignty or of resolution 1701 (2006) and from any provocation of the Lebanese Armed Forces or the United Nations Interim Force in Lebanon.

The Movement demands the prompt settlement of the issue of the Shaba'a farms with full respect for Lebanese territorial integrity, as stipulated in resolution 1701 (2006). We urge all parties to cooperate in protecting Lebanon's sovereign rights in that area, and

we note the important efforts of the Secretary-General in that regard.

The Movement is fully aware of the enormous challenge facing Lebanon as a result of the 1.2 million cluster bombs launched by Israel during its attack on that country. The Movement once again condemns Israel's use of such weapons and deplores the resulting death toll. NAM strongly urges Israel to provide the exact locations of those deadly weapons as well as maps of the landmines planted during its occupation of southern Lebanon.

The Movement congratulates the people and the leaders of Lebanon and totally supports the Agreement reached in Doha on 21 May 2008. In that connection, the Movement welcomes the election of the new President of the Republic, the establishment of a national unity cabinet and the adoption of the electoral law. Likewise, the Movement welcomes the convening of two sessions of the national dialogue on ways to strengthen the State's authority over all its territories in order to guarantee the sovereignty and security of the State and the people of Lebanon. The Movement also welcomes the agreement banning the use of weapons and violence as a way to settle disputes.

The Non-Aligned Movement reaffirms once again that all measures and actions taken or to be taken by Israel, the occupying Power, to alter the legal, physical and demographic character and institutional structure of the occupied Syrian Golan, as well as Israel's measures to apply its jurisdiction and administration there, are null and void and without any legal effect. We also reaffirm that all such measures and actions, including the illegal construction and expansion of Israeli settlements in the Syrian Golan since 1967, clearly violate international law; international agreements; the Charter and relevant decisions of the United Nations, including Security Council resolution 497 (1981); and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, and pose a challenge to the international community.

The Non-Aligned Movement condemns the recent Israeli settlement activities in the occupied Syrian Golan. The Movement demands that Israel abide by Security Council resolution 497 (1981) and withdraw completely from the occupied Syrian Golan to the borders of 4 June 1967.

The members of the Non-Aligned Movement condemn the act of aggression committed by forces of the United States of America in Iraq against the Syrian Arab Republic on 26 October 2008 and express its deep concern over the negative consequences of that action for peace, security and stability in the Middle East.

NAM expresses its great concern at the scant progress made in the peace process despite its re-establishment following the Annapolis conference in November 2007, the resumption of direct bilateral negotiations between the Israeli and Palestinian sides, and the tremendous efforts to promote the Arab Peace Initiative. While negotiations and meetings continue between the two parties, the process continues to be directly obstructed and undermined by Israel's continued implementation of illegal policies and practices in the occupied Palestinian territory, including East Jerusalem, and by its disrespect for the commitments it has undertaken in the peace process.

NAM urges all parties involved, including the Security Council and the Quartet, to make the efforts necessary to promote the peace process and thus achieve a just, lasting and comprehensive peace in the Middle East based on Security Council resolutions 242 (1967), 338 (1973), 425 (1978), 1397 (2002) and 1515 (2003), the principle of land for peace and the implementation of the Arab Peace Initiative and the Road Map.

Finally, the Non-Aligned Movement reaffirms its support for the Middle East peace process and hopes that the current efforts will finally bring an end to the occupation of all Arab territories occupied by Israel since 1967 — the occupied Palestinian territory, including East Jerusalem, and the occupied Syrian Golan — and the achievement of the two-State solution. The Movement reaffirms its unwavering commitment to finding a just and peaceful solution to the Israeli-Palestinian conflict and to ensuring that the Palestinian people exercise their inalienable rights, including their right to self-determination and sovereignty in their independent State of Palestine, with East Jerusalem as its capital.

The President: I now call on the representative of Turkey.

Mr. İlkin (Turkey): The objective set at Annapolis — to reach an Israeli-Palestinian peace treaty by the end of this year — appears unlikely to be

achieved. Yet, we should welcome the parties' determination to continue the negotiations. Permanent peace can be achieved only through direct and intensive negotiations.

It is with that thought in mind that Turkey welcomes Security Council resolution 1850 (2008), as it underlines the irreversibility of the Annapolis process and the significance of the Arab Peace Initiative. The resolution also recommits the parties to their previously agreed obligations. That, we believe, is of particular importance, since the situation on the ground will have a direct impact on the success of the process.

In order to maintain the momentum in the Israeli-Palestinian track at this critical juncture, neither party should take any action that might undermine the peace process and prejudice the final-status negotiations. In that respect, the Israeli settlement activities in the West Bank and East Jerusalem must end. The construction of the separation wall must be stopped. The daily difficulties experienced by Palestinians at checkpoints and roadblocks must be eased. Immediate steps must be taken to halt the rapid deterioration of the humanitarian situation in Gaza.

The Palestinian people should be able to feel that what the future has in store for them is a better, brighter and dignified life. The Palestinian people should also be able to put an end to their internal divisions. For their part, the Israeli people should be able to feel secure and confident about a stable and peaceful future, free from threats. Thus, the security concerns of Israel must be addressed.

We all know that the problems of the region are interlinked. Therefore what is needed is a comprehensive peace. It is with that understanding that we welcome the proximity talks between Israel and Syria and the establishment of diplomatic relations between Lebanon and Syria, as well as the tangible developments in Lebanon in the implementation of Doha Agreement. We believe that the people of Lebanon will further promote and carry forward the recent positive developments in their country. We also hope and expect the resumption of the indirect talks between Israel and Syria after the elections in Israel.

We agree with the Nobel Prize laureate, Mr. Ahtisaari, that "All conflicts can be settled, and there are no excuses for allowing them to be eternal". A permanent and comprehensive peace in the Middle East is indeed long overdue and should be within reach.

With that belief, Turkey will continue to work for a comprehensive peace based on a two-State settlement and to contribute to the stability, security and prosperity of the region.

The President: I now give the floor to the representative of Japan.

Mr. Takasu (Japan): I would like to express my appreciation to you, Mr. President, for convening the open debate on the situation in the Middle East. I would also like to thank Mr. Robert Serry for his insightful briefing. It is timely, as the Security Council has just adopted resolution 1850 (2008). We fully associate ourselves with the resolution, as it contains essential elements for realizing a comprehensive, just and lasting peace in the Middle East. We also appreciate the efforts by the Quartet.

I would like to reiterate Japan's strong support for and commitment to the Middle East peace process and its support towards the realization of the two-State solution. While difficult challenges for the Middle East peace process remain, we believe that the developments since the Annapolis conference are noteworthy. There have been regular interactions at the highest level between the parties, indicating the seriousness of their commitment to the process.

We believe that a comprehensive agreement for the two-State solution is essential for stability and prosperity in the Middle East, and it must address all the core issues such as permanent borders, Jerusalem, security arrangements, refugees and water resources.

Peace in the Middle East can be achieved only through negotiations between the Israelis and the Palestinians, based on the principle of land for peace, relevant United Nations resolutions and the agreements reached by the parties.

We also support Palestinian unity under the leadership of President Abbas through the national dialogue, which Egypt has made great efforts to promote.

It is equally important to create in the region an environment conducive for the peace process to continue without pause. We therefore recognize the significance of the Arab Peace Initiative and the constructive role of each State in the Middle East. We

also appreciate the efforts towards the indirect peace talks between Israel and Syria under the auspices of Turkey. We hope that the positive progress shown on all of those fronts will soon culminate in a comprehensive peace in the region.

There have been some improvements in the security situation such areas as Jenin and Nablus. This demonstrates the benefits of cooperation between Israeli and Palestinian authorities and reinforces the credibility of the Palestinian Authority under the leadership of President Abbas.

We believe the achievements to date will serve as a solid foundation for the peace process going into next year. Japan stands ready to make every effort to support the process.

Signs of progress notwithstanding, we are deeply concerned about the deteriorating humanitarian conditions on the ground, especially in the Gaza Strip. The shortage of basic supplies and the restrictions on movement are having an adverse impact on the livelihood of ordinary people. Clearly, tangible improvements in the daily lives of the Palestinian people are essential in order to maintain the momentum of the peace process. To that end, we urge the Israeli authorities to lift the blockade and allow the movement and access of the Palestinian people.

At the same time, we must address the issue of rockets and mortars being fired against the Israeli people from Gaza. We call upon Hamas and others to stop any violence and respect the safety of the Israeli people. Japan calls for extending the current ceasefire with an immediate cessation of violence. Also, in order to facilitate the peace process, freezing the settlement activities by the Israelis must be enforced in accordance with phase I of the Road Map. The recent violent acts by the settlers in Hebron revealed a considerable degree of vulnerability in the West Bank.

We believe that the rule of law must be respected, and we commend the commitment by the Israeli and Palestinian authorities to strengthen their cooperation in that regard. It is of paramount importance to secure a safe environment for both the Israeli and Palestinian people in which they can live without fear or despair.

Japan is equally committed to support economic development in the Middle East, which is essential to enable the Palestinian people to build a viable and sustainable economy. Japan has promoted the initiative called "Corridor for Peace and Prosperity" in order to build an agro-industrial park in the Jordan Valley and to provide job opportunities and facilitate export to the surrounding areas. The project relies on regional cooperation among Israel, the Palestinian Authority, Jordan and Japan.

Moreover, Japan hosted the Fourth Conference for Confidence-Building between the Israelis and the Palestinians in October. The two sides were headed, respectively, by Mr. Meir Sheetrit, Minister of the Interior of Israel, and Mr. Sa'eb Erekat, Head of the Negotiations Affairs Department of the Palestine Liberation Organization. The objective of the Conference was to deepen understanding and build mutual confidence between the two sides.

Japan has provided over $1 billion in aid to the Palestinian people since the Oslo Accords and stands ready to provide more assistance, in accordance with its pledge of $150 million made at the Paris Conference in 2007. We hope that our efforts will contribute to bringing about the long-awaited peace in the region.

Briefly, Japan welcomes the recent positive developments in Lebanon and stresses the importance of the continuous commitment to Security Council resolution 1701 (2006) by both Israel and Lebanon. We call upon the parties concerned to respect the sovereignty and territorial integrity of Lebanon, as called for in resolutions 1559 (2004) and 1701 (2006).

In closing, I would like to emphasize that it is ultimately the responsibility of the parties themselves to achieve peace. The success of the negotiations depends on their efforts. No one else can assume that responsibility. At the same time, the international community can help to ease the situation, allowing the parties to concentrate on their efforts to achieve peace.

Japan expects the leaders in the region to continue the negotiations with unfailing determination. Japan, for its part, will continue to play the role of a responsible and active partner to help realize peace in the region. We look forward to participating in the many efforts of the international community, including the Moscow Conference next year.

The President: I now give the floor to the representative of Pakistan.

Mr. Haroon (Pakistan): We welcome the convening of this open debate under your presidency,

Sir, on the situation in the Middle East, which affords an opportunity to Member States to share their perspectives with the Security Council on this important matter.

Comprehensive peace in the Middle East and a just, lasting and peaceful settlement of the core issue of Palestine is a long-held common objective of the international community, supported by the Council. Yet the achievement of that goal remains elusive, frustrating our collective efforts and desire for peace on the one hand, and perpetuating the cycle of injustice, violence and instability on the other. The consequences of that failure will be disastrous — in the first instance for the oppressed populations of the occupied territories and, beyond that, for regional and international peace and security. A sincere and concerted effort is required to prevent the situation from deteriorating further and to advance a genuine process aimed at resolving the Arab-Israeli conflict comprehensively and peacefully.

It was in that context that the peace process relaunched at the Annapolis conference in November last year had engendered great hope and legitimate expectations. It is, however, regrettable that there has been no appreciable progress in the negotiations. On the other hand, the situation on the ground in the occupied territories has become further aggravated, largely because of Israel's policies and actions.

The international community is rightly disappointed and concerned over these developments. As we approach the end of 2008, the goal of a peace treaty, instead of materializing, has only once again been postponed. Thus, we can understand the general feeling among Member States that resolution 1850 (2008) adopted by the Security Council the day before yesterday does not do full justice to the gravity of the situation and should have embodied a relatively stronger and clearer message from this Council. But more important than that is the fact that international pressure was such that the Council could not afford to keep quiet at this critical juncture.

Despite its shortcomings, the resolution is important in the sense that it keeps alive the hope for a peaceful settlement, building upon previous agreements and obligations. But the international community must now ensure that its commitment for peace in the Middle East is consolidated and translated into concrete results, addressing all core issues during the course of the next year. Pakistan would like to underline a few points that, in our view, are essential for this process to succeed.

First, the time has come for the Security Council to exercise its responsibility for peace and security in the Middle East, for which there could be no better way than to implement its own resolutions and decisions. Business as usual has become unsustainable. Greater political will, especially on the part of permanent members, is required to achieve real progress.

Second, the Quartet must also utilize its full potential in support of the peace process through a transparent and objective engagement, bringing the parties together and mobilizing the international community's moral, diplomatic, political and economic backing of the peace efforts.

Third, in the context of the regional approach, the Security Council and the Quartet need to engage more seriously with the League of Arab States, which for its part has demonstrated a determined, constructive and dynamic approach for achieving comprehensive peace in the region, particularly through the Arab Peace Initiative. Likewise, the Organization of the Islamic Conference, which has an historic interest in the peaceful resolution of the question of Palestine, may be a key partner for peace efforts in the Middle East.

Fourth, the framework for peace has already been determined in the relevant United Nations resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003), as well as the Madrid terms of reference, the Road Map, the Arab Peace Initiative and the understandings reached at Annapolis, which flow from that framework. There can be no deviation or modification in that basic mandate for the peace process.

Fifth, to achieve a lasting settlement of the Arab-Israeli conflict, it is imperative to address its root cause — the Israeli occupation of the Arab territories. The solution therefore requires Israel's complete withdrawal from the occupied Palestinian territory, including East Jerusalem, and all other occupied Arab territories, including the Syrian Golan. We would like to take this opportunity to reiterate our call for parallel progress on the Syria-Israel and Lebanon-Israel tracks in order to achieve comprehensive peace in the Middle East.

Sixth, the impediments for peace should be recognized objectively and removed effectively. The one-year period since Annapolis has proved once again that negotiations can only succeed in an enabling environment of mutual trust and confidence and positive developments on the ground. That requires urgent and credible actions by all sides and various fronts, from security and political issues to capacity-building, humanitarian and socio-economic development aspects aimed at improving the daily lives of the Palestinian people.

As stipulated in resolution 1850 (2008), the parties must fulfil their respective obligations under the Road Map and refrain from any steps that could undermine confidence or prejudice the outcome of negotiations. Israel must stop its military campaigns in the occupied territories, which continue to cause considerable and injuries and loss of innocent life, including among Palestinian women and children.

The firing of rockets into Israel, which does not serve the Palestinian cause, must also stop. We reiterate that the killing of all civilians or any civilians is unacceptable. All sides are called upon to shun violence and respect their respective obligations under international human rights law and international humanitarian law, in particular the Fourth Geneva Convention.

Particular responsibility lies with the occupying Power, both in Palestine and in Kashmir. In order to demonstrate its credibility and desire for peace, such Powers must seriously reconsider their policies and unilateral actions, which in this case are imperilling the lives of a besieged Palestinian people as well as the peace process and do not serve Israel's own security concerns. Israel must shun the use of force, put an end to human rights violations, discrimination, social and economic strangulation and collective punishment of the Palestinian people, immediately halt the construction of the illegal separation wall, stop its colonization campaign of settlement and demolish outposts, as promised at Annapolis, and remove the blockade of the Gaza Strip. Israel must cease the policy of forcibly establishing facts on the ground, fracturing Palestinian society, changing its demographic structure and fragmenting the occupied Palestinian territory, including East Jerusalem — all actions that jeopardize the negotiations and the process of a viable and contiguous State of Palestine.

Seventh, the international community must support the efforts aimed at achieving inter-Palestinian reconciliation, which is a must for credible and comprehensive peace. We urge our Palestinian brothers to put aside their differences and pool all their energies in the pursuit of peace.

Pakistan remains deeply concerned by the protracted suffering and dispossession of the Palestinian people. It is high time for this human tragedy, inflicted and aggravated by decades of occupation, to be brought to an early end. We therefore reiterate the call for a just, comprehensive and lasting peace based on international law, and full implementation of the relevant United Nations resolutions and agreements and obligations of the parties. Pakistan will remain steadfast in extending its full support for the achievement of the inalienable rights of the Palestinian people to exercise self-determination and sovereignty in the independent and viable State of Palestine, on the basis of the pre-1967 borders, with Al-Quds Al-Sharif as its capital, and a just resolution of the Palestinian refugees issue, in accordance with General Assembly resolution 194 (III) of 11 December 1948. That is a cherished objective, the realization of which the Security Council and the entire international community must devote full and sustained attention and all the resources at their disposal. Success demands nothing less.

The President: I now give the floor to the representative of the Bolivarian Republic of Venezuela.

Mr. Escalona (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Allow me to greet you, Mr. President, and the other distinguished members of the Security Council, most respectfully, and thank you for the work you have done throughout this year.

The Permanent Mission of the Government of the Bolivarian Republic of Venezuela to the United Nations recognizes the importance of the debate that we have been having in recent months to resolve various conflicts and maintain peace. In particular, we would emphasize that, on 16 December 2008, the Security Council considered resolution 1850 (2008), submitted by the United States and the Russian Federation, by which a series of measures aimed at achieving peace in the Middle East, especially in Palestine, were agreed. That made it possible, after four and a half years, to adopt a resolution to facilitate

the way for direct negotiations between the parties that could lead to just and lasting peace.

We welcome the appeal for the establishment of a Palestinian State and for all States and international organizations to contribute to the optimal functioning of the Palestinian Government and to strengthening the development of its economy. But we also believe that the implementation of the resolution must not be exclusive or limited, as mentioned by the Permanent Observer of Palestine. On the contrary, in order to ensure lasting peace, there must be acceptance of and legitimacy for all the political, economic, social and cultural aspects of which it is comprised.

The Palestinian people are a martyred people who have suffered greatly from genocide, persecution and the violation of human rights. That is why we stress our full support for the communiqué on the situation in the occupied Palestinian territory, including East Jerusalem, adopted by the Coordinating Bureau of the Movement of Non-Aligned Countries on 20 November 2008, which was forwarded to the Secretary-General of the United Nations on 24 November in document S/2008/735.

The communiqué condemns Israel's ongoing violations of international law and the human rights of the Palestinian people, which severely threaten the territorial, cultural and social integrity of the Palestinian people and the socio-economic conditions of their nation, and represent an ongoing attack on their right to life. It calls for an immediate withdrawal of the occupying Power, the removal of border controls and a halt to Israel's settlement activities on Palestinian territory and its illegal practices, which are often fomented from outside to maintain the momentum of a war that is ultimately very lucrative for arms traders and manufacturers.

There are those in Israel who promote peace and support a prudent and negotiated solution. In some intellectual, political and academic circles in Israel, there is no doubt that there will be a Palestinian State and that an exchange of territory will create relatively few problems. However, despite those positive elements, there must be greater resolve and more determination within the United Nations bodies to generate that critical mass that sooner or later will lead to real peace.

Gaza continues to suffer from Israel's disregard for human rights and has become a humanitarian emergency that must be treated as such. That is a situation that humankind can no longer ignore. The excessive and disproportionate Israeli military action are of such a scale that, we reiterate, mankind can no longer tolerate. Negation of the other seems to be the hallmark of their policy. Here, we must recall the statements by Richard Falk, Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, who has denounced the Israeli blockade on Gaza as a flagrant, ongoing and substantial violation of international humanitarian law, and described the situation as a humanitarian catastrophe and the policies implemented as a crime against humanity, accusing those who continue to provide political and economic support to Israel of being Israel's accomplices. Indeed, that civil servant was detained by Israel in contravention of the norms of respect owed to those working towards a negotiated peace.

We had thought that the horrors perpetrated at Sabra and Shatila on 14 September 1982 were behind us. That event led to a greater loss of lives than the terrible events of 11 September 2001 here in the United States, which was described by the General Assembly as genocide. Yet, we note with concern that the policies that led to that barbarity remain the same.

When the Security Council called on 16 December for strengthening international peace negotiations so as to achieve a definitive peace treaty between Israel and Palestine, we hoped that that desire would become a reality. We continue to believe that peace needs to be sought by both peoples. However, we also deeply believe that we urgently need to stop the ongoing aggression against the Government and people of Palestine, without undermining their legitimate and noble aspirations to build a State and a stable economy as soon as possible, and to live a life of dignity. Above all, however, we must not allow those who have committed crimes of genocide to go unpunished, which is the only way to heal the wounds.

For the Government of the Bolivarian Republic of Venezuela, silence is an option neither with respect to the Palestinian cause and the Middle East nor with respect to the causes of the peoples of the world. That has been affirmed by President Hugo Chávez Frías in all international forums. That is why, from this Chamber, we send a brotherly message of hope and solidarity to the Palestinian people. We truly hope that

they will achieve lasting peace in the region, which will undoubtedly also benefit the Israeli people.

The President (*spoke in Spanish*): I now give the floor to the representative of Morocco.

Mr. Loulichki (Morocco) (*spoke in French*): At the outset, I would like to thank my neighbour to the right, Mr. Robert Serry, United Nations Special Coordinator for the Middle East Peace Process, for his briefing on the situation in the Middle East, a region that is at a critical moment on its way to finding a just and lasting solution.

This meeting is taking place two days after the adoption by the Security Council of resolution 1850 (2008) on the situation in the Middle East — the first substantial resolution since May 2004. Thus, we can only welcome the action of the Council and the joint American-Russian initiative, which, we hope, will help to give the Annapolis process new momentum and safeguard its achievements.

Through the resolution, the Council has reaffirmed its responsibility for and commitment to the Israeli-Palestinian negotiation process. It has also recalled the need for the implementation of the Road Map by the two parties, while acknowledging the significant effort of the Arab world through its 2002 Peace Initiative.

Although it does not address some important aspects, the resolution had, and has, the advantage of reaffirming the core issues in solving the situation in the Middle East, namely and above all the irreversibility of negotiation. That principle entails renouncing all military solutions and a commitment to negotiate not just for the sake of negotiation but to do so with the aim of achieving the desired result, while adopting the appropriate attitude to ensure the success of the negotiations. In that context, the sealing off of Palestinian territory, the ongoing pursuit of the settlements policy and the cutting off of energy supplies are all incompatible with the spirit of negotiation.

The second fundamental principle entails the duty of the parties to fully honour their obligations under the Road Map and to refrain from any actions that might compromise negotiations or undermine the confidence that should prevail between the parties. Although Israel's release of 250 prisoners is encouraging, the targeted assassinations and impeding of access to humanitarian assistance and the free movement of Palestinians between Gaza and the rest of the occupied Palestinian territories deviates from the requisite atmosphere of confidence and further worsens the sense of frustration among Palestinians, who are the innocent victims.

The third fundamental principle pertains to the call on the international community to contribute to the establishment of environment conducive to negotiations and to support the Palestinian Government. Those two elements are crucial to the success of peace efforts. States with special relations with the parties or that can have a positive influence on them are therefore called upon to encourage and nurture the negotiating process. In that regard, the members of the Quartet have a key role in eventually providing decisive momentum to the negotiations. We hope to see that momentum in 2009, ensuring that there are tangible results on the ground for the Palestinian people, who are the ones most affected by the ongoing occupation. At the same time, it is absolutely necessary for there to be inter-Palestinian reconciliation. Everything must be done to ensure that as soon as possible.

The fourth, and last, basic principle entails the finalizing of a negotiated peace treaty. The call to continue negotiations and to establish appropriate conditions to conclude them is aimed at achieving a peace treaty to resolve all issues, including the most delicate and decisive. In that regard, the 2002 Arab Peace Initiative continues to be important, meaningful and relevant as a courageous, balanced and forward-looking effort to which Israel is called upon to respond with the same sense of courage and determination.

For its part, the Kingdom of Morocco, whose King Mohammed VI holds the chairmanship of the Al-Quds Committee, remains ready to make its contribution to the success of negotiations to achieve genuine peace in the Middle East, ensure Israel's withdrawal from Arab territories occupied since 1967 and establish a viable Palestinian State with East Jerusalem as its capital and living side by side with Israel.

We hope that the affirmation in resolution 1850 (2008) stating that the Security Council remains seized of the issue of the Middle East is not merely a matter of rhetoric but instead the expression of the Council's genuine willingness to assist in the negotiating process,

remain engaged in following developments, assessing results and, if necessary, act to inject new momentum. It is high time that the peoples of region regain peace and security, that a viable Palestinian State finally emerges, that the Golan is reintegrated with Syria and that the entire region once again becomes a land where all religions coexist and where there is fruitful cooperation among all peoples.

The President: I now give the floor to the representative of Norway.

Ms. Juul (Norway): For years we have heard warnings of the imminent collapse of the Palestinian economy. While the socio-economic situation remains dire, there have been some positive developments. Support from donors has increased. Negotiations between the parties continue. The Palestinian Authority is implementing key projects. But beyond those achievements, it is hard to see even the outlines of a sustainable Palestinian economy, unless Israel delivers on its promises to lift restrictions.

Economic growth is key to political progress. The international donor community has spent years supporting Palestinian institution-building and promoting accountability. Actions such as Israel's recent restrictions on money transfers to Palestinian banks in the Gaza Strip undermine Palestinian institutions. If the Palestinian Authority is unable to pay salaries, it will lose popular support. With restrictions on money transfers, the United Nations is unable to pay its staff and disburse emergency support. Such restrictions undermine legitimate institutions, bolster the black market economy and embolden radical organizations.

Settlement activity continues to increase in the West Bank. Israel's 2007 census shows that the settler population increased from 130,000 in 1995 to more than 270,000 today. Israel deserves recognition for the evacuation of an unlawfully occupied house in Hebron two weeks ago, but we remain deeply concerned about the emerging pattern of destruction of Palestinian houses and evictions of Palestinian families. Those actions are contrary to international law and prejudice the outcome of future negotiations.

Israeli settlements and closures have evolved into a coherent infrastructure throughout the occupied territories. That infrastructure strangles the Palestinian economy, undermines Palestinian institutions and prevents the development of a Palestinian State. Settlements and closures have become a fundamental threat to the vision of two States.

We have seen dangerous fragmentation on the Palestinian side. Militant Palestinians continue to undercut bilateral negotiations by indiscriminately aiming their violence at Israeli civilians. Negotiations may come to naught unless they are supported by Palestinian unity. Support for renewed reconciliation efforts is urgently needed, along with an effective ceasefire in and around the Gaza Strip.

We are faced today by political uncertainty on many fronts. Decisive action by key stakeholders is needed to support ongoing negotiations. As donors we need to remind ourselves of the connection between financial support and political results. We must join our efforts to support the peace process. Fragmentation among donors will only harm the prospects for peace.

We welcome the recent adoption of resolution 1850 (2008), which, in paragraph 4, calls on donors "to assist in the development of the Palestinian economy, to maximize the resources available to the Palestinian Authority, and to contribute to the Palestinian institution-building programme in preparation for statehood".

The Ad Hoc Liaison Committee remains the key instrument for mobilizing and coordinating donor support, working in tandem with the Annapolis process. We have succeeded in mobilizing today's high levels of contributions to the Palestinian Authority under the able leadership of President Mahmoud Abbas and Prime Minister Salam Fayyad. The Committee's meeting in September of this year confirmed the renewed commitment of all parties — Israel, the Palestinian Authority and donors — to support the creation of a Palestinian State. The willingness of donors to continue to support the process depends upon whether the parties achieve results. But the opportunity is there and momentum must be consolidated to achieve a negotiated solution to the conflict and the establishment of a viable Palestinian State.

The President: I now give the floor to the representative of Australia.

Mr. Goledzinowski (Australia): First of all, I would like to thank Mr. Serry for his informative briefing. I think we all owe thanks and respect to the members of the Secretariat, who do such important work on this issue. I would also like to thank you,

Mr. President, for the opportunity to speak today on this very important issue. It might seem trite to refer to this as an important issue, but it is important to all of us, wherever we live, including in Australia. We spoke at some length on this in the General Assembly, so I will be brief today.

As a firm friend of Israel and of the Palestinian people, Australia shares the vision of two States, Palestine and Israel, living side by side in peace, security and security. We welcome the statement of the Middle East Quartet of 15 December 2008, reiterating its support for the ongoing negotiations through the Annapolis process. We were encouraged by the commitment of the parties to the Quartet on 9 November 2008 at Sharm el-Sheikh to "vigorous, ongoing and continuous negotiations", and of course to implementing their respective obligations under the Road Map for peace.

The progress made at Annapolis must not be lost. That is why it is important that, irrespective of the composition of the leadership in Israel or the Palestinian Authority, this progress must continue, and they must expedite bilateral negotiations and of course abide by their obligations under the Road Map.

Australia is deeply concerned by the humanitarian situation in Gaza, which we referenced a few weeks ago during Israel's recent appearance at the Human Rights Council in the context of the Universal Periodic Review process. We are very much concerned by the resumption of violence and indiscriminate attacks against Israel, which we have condemned. We strongly support the Quartet's call for the Egyptian-brokered ceasefire to be respected and extended. Australia echoes the Quartet's call for humanitarian supplies into Gaza to be assured continuously.

Like all right-thinking nations, Australia supports efforts to achieve a just, lasting and comprehensive peace between Israel and its neighbours, consistent with the Security Council's resolutions, including its most recent resolution on the subject, resolution 1850 (2008). We welcome renewed interest in the Saudi-sponsored Arab Peace Initiative as a possible basis for further discussions, and hope that progress can be made on the Israel-Syria track.

Peace will be achieved only with the support of the international community. Of course, it is the parties' principals who will have to make peace, but we have a deep and serious responsibility to support that process. Both the Israelis and the Palestinians have asked us to support their efforts by promoting an environment conducive to peace, non-violence and the two-State solution. The Quartet has similarly called on all of us to provide diplomatic and political support and to assist in building the institutions necessary for a future Palestinian State.

Australia is committed to providing that support and we stand ready to assist in any way we can.

The President: I now give the floor to the representative of Iceland.

Mr. Hannesson (Iceland): First, allow me to congratulate Croatia on assuming the presidency of the Council for the first time and thank you, Sir, for giving me the opportunity to address the Council in this open debate on the situation in the Middle East.

It is distressing, in the year of the sixtieth anniversary of the Universal Declaration of Human Rights, to witness the dire humanitarian and human rights situation in the occupied Palestinian territories and to see that the self-determination of the Palestinians has not yet been realized and that the occupation has intensified.

While we await results from the continuing negotiations, changes must take place on the ground. This includes the lifting of the access restrictions on the Gaza Strip and the closure regime established in the West Bank, which puts severe restrictions on the freedom of movement of the Palestinians and also affects every aspect of their lives, including their property rights and their right to education, health and employment. This also includes the cessation of all settlement expansion and of the creation of other such stumbling blocks on the ground that are contrary to international law and make it more difficult to realize a two-State solution.

On the Palestinian side, the clashes between Hamas and Fatah must end. There must also be a total cessation of rocket attacks from the Gaza Strip, which mainly target civilians and create terror among the Israeli population. We urge both Hamas and Israel to maintain the ceasefire and avoid a resumption of hostilities.

As a strong supporter of resolution 1325 (2000), Iceland believes in the importance of women's participation in peace processes. I would like to draw the attention of the Council to the International

Women's Commission for a Just and Sustainable Palestinian-Israeli Peace (IWC), a tripartite body involving Israelis, Palestinians and prominent international women leaders with experience in diplomacy and political negotiations. The IWC operates under the chairmanship of the United Nations Development Fund for Women. The main parties in the peace processes would benefit not only from the substantive input that the IWC could give to the process, but also from the effective working methods the members of IWC have developed to reach agreements among themselves on the major issues.

The importance that women have given to the role that a just and sustainable two-State solution could play in the process cannot be overstated. The solidarity among women across the lines of conflict can offer inspiration and hope for their societies as a whole.

A just and peaceful resolution to the Israeli-Palestinian conflict is essential to peace and security throughout the region and worldwide. The main role of the Security Council is the maintenance of international peace and security. Accordingly, Council members have a responsibility to do their utmost to resolve the Israeli-Palestinian conflict.

Resolution 1850 (2008), adopted by the Council on 16 December, provides for the continuation of bilateral negotiations. We welcome the Council's resolution. However, the lack of progress in these negotiations, in parallel with a deteriorating humanitarian and human rights situation in the occupied Palestinian territories, demands changes in approach to the negotiations.

In this regard, I call attention to the remarks made by the Nobel Peace Prize laureate, Mr. Martti Ahtisaari, during the recent Nobel Prize ceremony in Oslo, where he called for the Quartet and the international community as a whole to accord high priority and a serious commitment to this most challenging peacebuilding project ahead of us.

The President: I now give the floor to the representative of the Islamic Republic of Iran.

Mr. Al Habib (Islamic Republic of Iran): I wish to begin by extending our thanks to you, Mr. President, for having convened this open debate at such a critical juncture. The situation on the ground, particularly in the Gaza Strip, has reached a disastrous point and the people living there are subject to untold Israeli crimes and are enduring a humanitarian catastrophe unprecedented in the past several decades.

In the past several weeks, the situation in the occupied Palestinian territories has further deteriorated as a result of the continued illegal Israeli policies and practices. Military attacks against Palestinian civilians and property, the demolition of homes and other property, targeted killings, the unlawful construction and expansion of settlements, colonization measures, the transfer of settlers, the imposition of a permit regime and of other severe restrictions on movement in the occupied Palestinian territories, and the construction of the unlawful apartheid wall are a few examples of the criminal Israeli activities that have continued unabated and have even accelerated. Moreover, all forms of inhumane and unlawful measures are imposed on the Palestinian civilian population, particularly in the Gaza Strip.

Israeli settlers' heinous violence, terrorism, harassment and racist acts against Palestinian civilians, their properties and agricultural land have increased. The recent shocking and condemnable events in Al-Khalil, where extremist Israeli settlers set fire to Palestinian homes and orchards and killed Palestinian civilians in cold blood, display a pre-planned campaign of terror and intimidation in order to make life there even more miserable for the innocent Palestinian civilians.

The world community is today witnessing the unprecedented tragic situation that the Palestinian people in the Gaza Strip are facing as a result of the atrocious crimes of the Israeli regime. The international community is witnessing the perpetration by the Israeli regime of some of the most horrendous crimes ever committed against innocent people in the history of mankind. More than 1.5 million people in the Gaza Strip are starved, massacred and subjected to collective punishment. They are deprived of the most basic goods, medical supplies and services that are necessary to keep them alive.

The Israeli regime has turned a deaf ear to numerous calls by the international community and is practically eliminating a whole population before the eyes of the world community in a criminal move that has been termed a crime against humanity by United Nations human rights officials.

For the founders of the United Nations it would have been certainly impossible, a few decades ago, to

imagine that in the twenty-first century a whole population would be subject to such horrendous crimes against humanity and starved to death by a criminal regime while the Security Council remained idle. But it is unfortunately happening now. It is long overdue for the United Nations and the Security Council to take urgent and meaningful action in order to counter these atrocities and war crimes against the Palestinian people and to help alleviate the suffering and pain of the people in the Gaza Strip.

Silence on the part of the international community is not an option, nor is it justifiable. Hundreds of thousands of people, including women and children, are looking to the United Nations and the international community at large in anguish and disillusionment while constantly subject to the threats, intimidation and abhorrent crimes of the Israeli regime. We should not leave them alone. The Security Council must live up to its responsibility and move quickly to protect the innocent civilians facing collective punishment in the Gaza Strip.

The Israeli regime continues its brutal occupation of, and unlawful acts in, the occupied Syrian Golan, too. It also continues to occupy parts of Lebanese territories and persists in its daily violation of Lebanese airspace, in blatant breach of Security Council resolution 1701 (2006). There are other showcases of the Israeli regime's contempt for the Council and for its decisions, and they should be addressed in a serious manner.

Undoubtedly, inaction on the part of the Security Council, which is in turn due to the unqualified support extended by a permanent member of the Council to the Israeli regime, has emboldened that regime in its war crimes and crimes against humanity. The Israeli regime not only continues its abhorrent crimes against the Palestinian people in the Gaza Strip and other parts of the occupied Palestinian territories with full impunity, but it also persists in its intimidation and harassment of United Nations agencies and human rights officials and in its vicious threats against the nations who show sympathy to the innocent Palestinian people. The unconditional support extended to the Israeli regime by a permanent member of the Council cannot but be regarded as explicit support for the war crimes and unlawful activities persistently pursued by the Israeli regime.

I wish to conclude by rejecting the baseles allegations that the representative of the Israeli regi made in her statement against my country. Needless say, it was another example of that regime's fut efforts to divert attention from its own State terroris and atrocities in the region by engaging in sme campaigns against others. It was also unacceptable hear the delegation of Croatia, in its national capaci making certain unwarranted references to my count That is, in our view, irresponsible, since the references, which amount to baseless allegations a are rejected, have been made on the basis of sor distortions fabricated by the Israeli regime.

The President: I now give the floor to t representative of Qatar.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): congratulate you, Mr. President, for your wi leadership of the Council during the month December, and I thank you for convening this month meeting on an issue that continues to be among t most important issues before the Security Counc Being one of the oldest threats to international pea and security, it must remain under close scrutiny by t Council. I also wish to thank Mr. Robert Serry for t briefing that he gave to the Council.

Allow me, at the outset, to associate myself wi the statement made by the representative of Cuba behalf of the Non-Aligned Movement.

We have invited the Council numerous times assume its responsibility in the ongoing crisis in t Middle East, including the Palestinian question, and give it the attention it deserves in order to preserve t Council's credibility and to find a solution to this issu Indeed, two days ago, the Council adopted resoluti 1850 (2008), which is its first on the Palestini question in the past five years.

The Council's adoption of a resolution to mo the stagnant peace process forward is undoubtedly commendable act, which, in principle, we welcom But, unfortunately, it is in principle only because t resolution suffers from substantial shortcomings, as overlooks and ignores the obstacles that compromi the chances of achieving a comprehensive a sustainable peace in the region, most notably the iss of Israel's illegal settlements in the occupied Ar territories and its consequent violations of internation law and of the human rights of the Palestinian people

Our repeated calls to the Council to deal with the ongoing crisis in the Middle East, with a view to reaching a comprehensive settlement that includes all aspects of the problem, do not reflect our view alone; rather, they reflect the view of the Council. This was stressed in the presidential statement issued on 12 December 2008 (S/PRST/2008/46), on the occasion of the adoption of a resolution to renew the mandate of the United Nations Disengagement Observer Force. Accordingly, we wonder why the substance of that statement was not reflected in resolution 1850 (2008). That, understandably, caused the resolution not to be adopted unanimously.

My understanding is that the Council agrees with me that the achievement of a just, comprehensive and lasting peace in the Middle East, along with the securing of a sustainable solution to the Palestinian issue based on two States living side by side in peace and security, is our common objective, without exception. We all seek a lasting solution to the Arab-Israeli conflict. We all seek to solve the outstanding issues, including core issues such as Jerusalem, refugees, borders, security, settlements and water. When we talk about the two-State solution, it is necessary to stress the need that the Palestinian State must enjoy full sovereignty and must be contiguous and viable, with East Jerusalem as its capital.

However, the illegal Israeli settlements in the occupied Arab territories and the construction of the apartheid Wall in those territories constitute an obstacle to the establishment of a Palestinian State. The Israeli authorities' insistence on building illegal settlements in defiance of the United Nations resolutions and despite the international consensus on the illegality of those settlements in the occupied Palestinian territory undermines the chances for peace and constitutes a severe setback for the Annapolis process, which is the latest of several initiatives that have not been accepted by the Israeli side. It is therefore imperative for the Security Council to reaffirm its resolution 1850 (2008) by adopting the Arab draft resolution on Israeli settlements, which is before the Council in blue.

Among the serious challenges to international peace and security are the terrorist acts perpetrated by Israeli settlers against defenceless Palestinian civilians, such as in the occupied Palestinian city of Hebron, where extremist settlers are hammering away against the Palestinian population while the Israel authorities sit by passively, doing nothing to stop them. As an occupying Power, Israel is blatantly violating international humanitarian law, including the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. This finding was confirmed recently by Mr. Robert Serry, Special Coordinator for the Middle East Peace Process, in his condemnation of these heinous acts. There is no doubt that the impunity enjoyed by the Israeli settlers encourages them to persist in terrorism.

This Council should be able to persuade Israel to withdraw from the occupied Syrian Golan and the remaining occupied Lebanese territories, to cease its continued violations of Lebanese airspace, and to abide by its obligations under the Road Map and pursuant to the international legitimacy represented by the relevant resolutions of the Security Council and the General Assembly.

One serious obstacle to realizing comprehensive peace in the occupied Palestinian territory is Israel's continued policy of aggression, siege and starvation of the Palestinian people in the Gaza Strip, which is a serious violation of all laws, agreements, principles and ethics. The blockade threatens the lives of Gaza's inhabitants and has claimed hundreds of victims, including dozens of children who died because of power shortages and the lack of essential medicines and drugs. The Israeli authorities have not stopped at these disgraceful acts; they have gone even further by preventing humanitarian relief from reaching the Gaza Strip, such as the Libyan ship *Al-Marwa* and a ship that sailed from Jaffa loaded with humanitarian relief and gifts on the occasion of Eid al-Adha, among others. Mr. Richard Falk, the Special Rapporteur on Human Rights, described the Palestinians as "a civilian population being collectively punished by policies that amount to a crime against humanity", and said that "it would seem mandatory for the International Criminal Court to investigate the situation and determine whether the Israeli civilian leaders and military commanders responsible for the Gaza siege should be indicted". He added that Israel allows "barely enough food to stave off mass famine and disease", leaving the Palestinians in a "desperate plight". Can this be the behaviour of a civilized society?

It is incumbent on the Security Council to demonstrate the seriousness of resolution 1850 (2008). The Council is also responsible for following up on the implementation of that resolution.

The President: I shall now give the floor to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, His Excellency Mr. Paul Badji.

Mr. Badji (*spoke in French*): At the outset, I should like to congratulate you on your assumption of the presidency of the Security Council for the month of December. I am sure that, given the efficient manner in which you are discharging your responsibilities, the work of the Council will be carried out successfully.

I take this opportunity to pay tribute to your talented predecessor, Ambassador Jorge Urbina, Permanent Representative of Costa Rica, for the exemplary manner in which he steered the work of the Council during the month of November.

I convey my warmest greetings to Mr. Robert Serry, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, and I congratulate him on his outstanding briefing to the Council this morning.

I am grateful to you, Mr. President, as well as to the other members of the Council, for having given me the opportunity to participate in this important debate on the situation in the Middle East, including the Palestinian question, in my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

The Committee remains resolutely in favour of political negotiations towards establishing a comprehensive, just and lasting peace in the Middle East. It commends the adoption of resolution 1850 (2008) on 16 December, in which this Council declared its support for the negotiations launched at Annapolis, called on both parties to fulfil their obligations under the Road Map and to refrain from all actions that would prejudice the outcome of negotiations, and invited the international community to contribute to the establishment of an atmosphere conducive to negotiations. The irreversibility of the process must absolutely be preserved.

While our Committee strongly supports the continuation of negotiations, we cannot, however, ignore the significant gap between the political process and the deplorable situation on the ground. The Committee is extremely concerned by renewed violence in the Gaza Strip and the dire humanitarian situation in the area. The civilian population is paralysed by a blockade imposed by the occupying Power. Our Committee unequivocally condemns the violence being perpetrated by both parties and claiming victims among the innocent civilian population, be it on the part of Israeli military operations or the result of rocket fire from Gaza. At the same time, the Committee considers it totally unacceptable and unjust that the entire civilian population of the Gaza Strip be subjected to collective punishment and a paralysing blockade as a result of the actions of small militant groups.

The humanitarian situation in the Gaza Strip has severely deteriorated in the past months. The residents of Gaza urgently need access to basic commodities such as fuel and food supplies. Medical facilities have stopped functioning due to a lack of electricity and basic materials. Building materials are urgently needed to repair homes and schools that have been bombed. Some humanitarian aid has been allowed into the Gaza Strip in recent days, but not enough to meet the needs of the population. Today, the United Nations Relief and Works Agency for Palestine Refugees in the Near East announced that it had suspended its food distribution to Palestinians in the Gaza Strip after it ran out of supplies.

We call on Israel, the occupying Power, to immediately lift the siege on the Gaza Strip and to allow humanitarian agencies to enter to help alleviate the appalling living conditions of its residents. Israel should immediately halt military operations and the excessive use of force in the West Bank and the Gaza Strip, and act within the ambit of the Fourth Geneva Convention. We call on both sides to urgently cease all acts of violence, exercise utmost restraint and allow calm to prevail.

The Committee is also deeply concerned over recent settler violence, particularly in the West Bank city of Hebron. We condemn attacks by Israeli settlers on Palestinian civilians and the destruction of property. We remind Israel of its responsibility, as an occupying Power, to protect Palestinian civilians, property and holy sites. Israel also needs to urgently halt settlement activity, fulfilling its obligations under the Road Map.

The international community, including my Committee, is doing its utmost to create a climate conducive to the conduct of permanent settlement negotiations. The Committee stresses the permanent responsibility of the United Nations towards the

question of Palestine until it is resolved in all its aspects in accordance with international law. We urge all parties concerned to move the peace process forward towards a settlement of the Israeli-Palestinian conflict and the establishment of a sovereign and viable Palestinian State on the basis of the 1967 borders. A settlement should be based on Security Council resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008), and on the Arab Peace Initiative, including the acceptance of Israel as a neighbour living in peace and security in the context of a comprehensive, just and lasting settlement.

The President: The representative of Israel has asked for the floor to make a further statement. I give him the floor.

Mr. Weissbrod (Israel): I do not want to take up any more of the Council's precious time. I think we had a long debate and that most of us shared the message of hope and progress in the peace process, yet I must refer to the statement by the representative of Iran.

Again, his statement demonstrates the challenges before us posed by radical forces in the region, led by the Islamic forces of Iran, who consistently try to obstruct any progress towards peace. I think that every statement today conveyed a message of hope, but that made by the representative of Iran was in total contradiction of that message.

The President: I now give the floor to Mr. Serry to respond to comments and questions raised.

Mr. Serry: It has indeed been a long day, so I will be brief.

First of all, let me thank all those delegations that have expressed appreciation to me and to the Secretary-General for our work and contributions to the various aspects of the peace process. I have listened, of course, with close attention to this debate and I must say that I, too, return this evening to Jerusalem with a feeling that it has largely been very constructive. I should like in particular to welcome the contributions made by the representatives of Palestine and Israel. I think that this is the spirit that we should take with us into the new year.

In my own statement, I also highlighted the fact that, with the prospects created by the important new resolution 1850 (2008), in the uncertain period ahead we have to make sure that we are able to continue this process with great vigour in the coming year. I highlighted in particular one issue that, I think, has been highlighted in almost all the contributions to today's debate — the difficult situation in Gaza. Again, I appreciate the many expressions of strong support that I have heard around this table for the urgent appeal I have been making in the Council on behalf of Secretary-General Ban Ki-moon for the calm to be respected and extended. In the meantime, if one has followed today's events, one knows why that is important, because we have heard from the press in Gaza statements that call the extension of the calm into question.

Let me make one thing very clear: The return of full-scale violence to the Gaza Strip cannot be in the interests of the Palestinian people. The rocket attacks on Israel and the crossings must stop and all acts of violence must cease, including Israeli incursions and air strikes.

We had an important Quartet meeting on Monday, calling for the continuous provision of humanitarian supplies to the people of Gaza. In fact, what we have now is international unity behind efforts to secure the reopening of crossings and an easing of the unacceptable suffering of the Palestinian people, in accordance with international humanitarian law. The Secretary-General has personally led those efforts. Again, those efforts will be placed in serious jeopardy if the calm is not respected, so we will need the help of all Council members to make that happen in the time to come.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 4.50 p.m.